

**THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER
AND
THE HON'BLE SRI JUSTICE NAGESH BHEEMAPAKA**

FAMILY COURT APPEAL No.35 OF 2016

JUDGMENT: (Per Hon'ble Dr.SA,J)

This appeal, under Section 19 (1) of the Family Courts Act, is filed by the appellant/husband aggrieved by the decree and order, dated 04.12.2015, passed in F.C.O.P.No.55 of 2012 by the learned Judge, Family Court, Warangal, whereby, the subject F.C.O.P. filed by the appellant/husband, under Section 13(1)(ib) of the Hindu Marriage Act, 1955, seeking decree of divorce by dissolving the marriage solemnized between him and the respondent/wife on 28.10.2009, was dismissed.

2. Heard. Perused the record.

3. Learned counsel for the appellant/husband would submit that during pendency of this appeal, both the parties have filed an application seeking divorce by mutual consent before the Family Court, Warangal, and the same was allowed. Consequently, the marriage solemnized between the

parties was dissolved. Therefore, cause in the appeal does not survive for adjudication.

4. The said submissions are taken on record.

5. In the result, the appeal is dismissed as infructuous.

Miscellaneous Petitions, if any, pending in this appeal shall stand closed. There shall be no order as to costs.

Dr. SHAMEEM AKTHER, J

NAGESH BHEEMAPAKA, J

Date: 10.10.2022
MD