

THE HON'BLE JUSTICE G. SRI DEVI
AND
THE HON'BLE SMT. JUSTICE M.G. PRIYADARSINI

F.C.A.No.528 of 2018

JUDGMENT: *(per Justice G. Sri Devi)*

1) The present appeal is filed against the order and decree dated 11.02.2018 passed in F.C.O.P.No.1417 of 2013 on the file of the Principal Judge, Family Court, Hyderabad.

2) The appellant herein-husband filed F.C.O.P.No.1417 of 2013 under 13(1)(ia) of the Hindu Marriage Act, 1955 against the appellant herein-husband seeking dissolution of the marriage on the ground of cruelty. Vide order and decree dated 11.02.2018, the learned Judge, Family Court, dismissed the O.P. Challenging the same the present appeal is filed by the appellant-husband.

3) At the time when the matter is taken up for hearing, learned Counsel for the respondent-wife would submit that the respondent-wife filed F.C.O.P.NO.825 of 2019 seeking decree of divorce, which was allowed on 19.03.2020. Therefore, in view of the said orders, the cause in the present appeal has become infructuous. Learned Counsel has placed on record the order and decree in F.C.O.P.No.825 of 2019 on the file of the Principal Judge, Family Court-cum-Additional Chief Judge, City Civil Court, Hyderabad. Learned Counsel appearing for the

appellant-husband has conceded to the fact that a decree of divorce has already been granted by the competent Court.

4) In view of the above submissions and since the competent Court has already granted a decree of divorce by dissolving the marriage between the appellant and respondent herein in the subsequent proceedings initiated by the respondent-wife, nothing survives for adjudication in this appeal.

5) Accordingly, the F.C.A. is dismissed as infructuous. No order as to costs.

Miscellaneous petitions, if any, pending in this appeal shall stand closed.

JUSTICE G. SRI DEVI

JUSTICE M.G. PRIYADARSINI

22.08.2022
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