

**HON'BLE SRI JUSTICE R. SUBHASH REDDY**

**AND**

**HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO**

**FCA MP No.203 of 2015**

**in/and**

**FCA No.105 of 2015**

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**ORDER:** (Per Justice R. Subhash Reddy)

This Family Court Appeal is filed under Section 19 of the Family Courts Act 1984, by the petitioner-husband, aggrieved by the judgment and decree dated 08.07.2014 passed in F.C.O.P.No.8 of 2013, by the Family Court-cum-VI Addl. District Judge, Kadapa.

By the aforesaid judgment, the Family Court dismissed the aforesaid F.C.O.P., filed by the petitioner-husband under Section 13 (1) (ia) (ib) of the Hindu Marriage Act, 1955.

During pendency of the appeal, FCA M.P.No.203 of 2015 is filed under Order XXIII Rule 3 CPC to allow the appeal by dissolving the marriage between the parties; on the ground that there is settlement of dispute between them and they have entered into memorandum of compromise dated 23.04.2015. In the affidavit filed in support of FCA M.P.No.203 of 2015, it is stated that, at the intervention of elders and well-wishers, parties have settled the dispute and entered into compromise.

When the matter is taken up for hearing, both parties are present and their counsel identified the parties. The parties state that they have settled the dispute amicably and decided to seek dissolution of marriage, by grant of decree of divorce, in terms of the memorandum of compromise.

We have perused the memorandum of compromise dated 23.04.2015, which is annexed to FCA M.P.No.203 of 2015, wherein it

is stated that the petitioner-husband has agreed to pay Rs.3.00 lakhs towards permanent alimony to the respondent and, further, agreed to deposit Rs.3.00 lakhs in the name of their daughter Baby Sindu Priya; further the petitioner-husband has purchased jewellery worth Rs.51,554/- in the name of the daughter Baby Sindu Priya.

In view of the reasons stated in the affidavit filed in support of FCA M.P.No.203 of 2015, the said petition is allowed as prayed for. Consequently, FCA No.105 of 2015 is allowed, by dissolving the marriage and granting decree of divorce in terms of the memorandum of compromise. The memorandum of compromise shall form part of the decree. Consequently, miscellaneous petitions if any pending in the appeal stand disposed of. No order as to costs.

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R. SUBHASH REDDY, J

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Dr. B. SIVA SANKARA RAO, J

April 23, 2015

MRR