

**HON'BLE SRI JUSTICE R. SUBHASH REDDY  
AND  
HON'BLE DR. JUSTICE B.SIVA SANKARA RAO**

**FCA MP No.52 of 2015 in FCA No.11 of 2015  
&  
FCA No.11 of 2015**

-

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

F.C.A. No.11 of 2015 is filed by the petitioner-wife aggrieved by the order and decree dated 09.11.2014 passed in O.P. No.944 of 2013 by the Additional Family Court, Hyderabad. The aforesaid petition filed by the petitioner-wife under Section 12(1)(c) of the Hindu Marriage Act, 1955 to declare the marriage, between the petitioner and the respondent celebrated on 24.11.2012, as null and void, vitiated by fraud and coercion, was dismissed. Aggrieved by the same, the appellant filed F.C.A. No.11 of 2015.

2) During pendency of the appeal separate application, in FCA MP No.53 of 2015 under Order VI Rule 17 read with Section 151 CPC, is filed seeking amendment of prayer for the alternative relief of granting decree of divorce. The said petition is allowed, today, by this Court.

3) Further, FCA MP No.52 of 2015 is filed under Order XXIII Rule 3 read with Section 151 CPC, to dispose of the F.C.A in terms of the memorandum of understanding arrived between the parties. Along with the petition, memorandum of understanding is filed in which it is stated that at the intervention of elders, they settled the dispute and the marriage be dissolved by granting decree of divorce, in terms

of the memorandum of understanding.

4) When the matter is called for hearing, both the parties are present and they are identified by their respective counsel and stated that they decided to dissolve their marriage and seek for dissolution of marriage by granting decree of divorce.

5) In view of the above and having regard to the settlement arrived at between the parties, we deem it appropriate to dispose of the appeal in terms of the memorandum of understanding.

6) Accordingly, FCA MP No.52 of 2015 is allowed. Consequently, FCA No.11 of 2015 is also allowed, dissolving the marriage between the petitioner and the respondent, by granting decree of divorce in terms of the memorandum of understanding, which shall form part of the decree. Consequently, miscellaneous petitions if any pending in the appeal stand disposed of. No order as to costs.

---

JUSTICE R. SUBHASH REDDY

---

Dr. JUSTICE B.SIVA SANKARA

RAO  
February 10, 2014  
ksh

