

HON'BLE SRI JUSTICE R. SUBHASH REDDY

AND

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

F.C.A.No.157 of 2015 with F.C.A.M.P.No.265 of 2015

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COMMON JUDGMENT : (Per Justice R. Subhash Reddy)

The appeal in F.C.A.No.157 of 2015 is filed under Section 19 of the Family Courts Act, by the petitioner in O.P.No.1470 of 2009 on the file of Additional Family Court, Hyderabad, aggrieved by order dated 07.07.2014, passed in the said application.

2. Appellant herein has filed petition under Section 13(1)(ia) of the Hindu Marriage Act for dissolution of his marriage with the respondent performed on 28.06.2007, and at the same time, respondent has also sought for dissolution of marriage by way of counter claim in the said O.P., on other set of allegations. The Family Court, by order and decree dated 07.07.2014, dismissed the petition filed by the appellant and decreed the counter claim filed by the respondent, by dissolving the marriage. The appellant was directed to pay Rs.10,00,000/- to the respondent towards permanent alimony.

3. During the pendency of this appeal, F.C.A.M.P.No.265 of 2015 is filed under Order 23 Rules 1 and 3 of C.P.C., seeking to allow the appeal in terms of the compromise arrived at by the parties. The terms of compromise are reduced into writing by way of Memorandum of Understanding, dated 15.06.2015.

4. When the matter is taken up, the parties are present in person and they are identified by their respective counsel.

5. In view of the reasons stated in the affidavit filed in support of F.C.A.M.P.No.265 of 2015, the said petition is allowed as prayed for. Consequently, F.C.A.No.157 of 2015 is allowed, granting decree of divorce by mutual consent, dissolving the marriage between the appellant and respondent, subject to the terms and conditions as stated in the memorandum of understanding, dated 15.06.2015. The terms of compromise shall form part of decree. No order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

R. SUBHASH REDDY, J

A. SHANKAR NARAYANA, J

15th June 2015

ajr