

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

**AND**

**THE HON'BLE SRI JUSTICE A. SHANKAR NARAYANA**

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**F.C.A.No.198 OF 2015**

**AND**

**F.C.A.MP.No.499 OF 2015**

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**JUDGMENT:** (Per Hon'ble Sri Justice R. Subhash Reddy)

This appeal, under Section 19 (1) of the Family Courts Act, 1984, is filed aggrieved by the order, dated 02.12.2014, passed in F.C.O.P.No.9 of 2013 by the Family Court – cum – Additional District and Sessions Judge, Karimnagar.

The appellant – husband has filed the aforesaid O.P., under Section 13 (1) (ib) of the Hindu Marriage Act, 1955, against the respondent - wife, for grant of divorce. The Court below, by impugned order, dated 02.12.2014, has dismissed the said O.P., as against which, the present appeal is filed.

During pendency of the appeal, the parties have filed F.C.A.MP.No.499 of 2015, under Order XXIII Rule 3 read with Section 151 C.P.C., to dispose of the appeal by dissolving the marriage performed between the appellant and the respondent as per the Terms of Compromise annexed to the petition.

In the affidavits filed in support of the petition, it is stated that at the intervention of elders and well-wishers, the dispute between the parties is settled and the terms of settlement are reduced into writing, as per which, the parties have agreed to dissolve the marriage and

the appellant has agreed to pay Rs.6,50,000/- to the respondent towards permanent alimony.

When the matter is called, the parties, who are present in person and who have been identified by their respective counsel, have requested to dispose of the appeal as per the Terms of Compromise annexed to F.C.A.MP.No.499 of 2015. Further, the Demand Draft for an amount of Rs.6,50,000/- is handed over to the respondent – wife.

In view of the reasons stated in the affidavit filed in support of F.C.A.MP.No.499 of 2015, the petition is allowed as prayed for and consequently, the appeal is allowed by setting aside the impugned order, dated 02.12.2014, and granting decree of divorce by mutual consent by dissolving the marriage performed between the appellant and the respondent, subject to the terms and conditions as mentioned in the Terms of Compromise. The Terms of Compromise shall form part of the decree.

Miscellaneous Petitions, if any, pending in this appeal shall stand closed. No costs.

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**R. SUBHASH REDDY, J**

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**A. SHANKAR NARAYANA, J**

September 30, 2015

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