

THE HON'BLE SRI JUSTICE R. SUBHASH REDDY
AND
THE HON'BLE SRI JUSTICE A. SHANKAR NARAYANA
-
F.C.A.MP.No.454 OF 2015
AND
F.C.A.No.222 OF 2015

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

This appeal, under Section 19 of the Family Courts Act, 1984, is filed aggrieved by the order, dated 25.11.2014, passed in O.P.No.1203 of 2011 by the Family Court, Hyderabad, by which, the O.P. filed by the appellant under Section 12 (1) (a) read with 25 and 27 of the Hindu Marriage Act, 1955 (for short, 'the Act'), was dismissed.

During pendency of the appeal, the appellant has filed F.C.A.MP.No.465 of 2015 seeking to amend the provision of law under which O.P.No.1203 of 2011 was filed by substituting it with Section 13B of the Act. A separate order is passed permitting the amendment as prayed for.

Further, the appellant has also filed F.C.A.MP.No.454 of 2015 to dispose of the appeal in terms of the Joint Memorandum of Compromise entered into between the parties, which is annexed to the petition.

It is submitted by the learned counsel for parties that

during pendency of the appeal, parties have settled the dispute and have decided to seek dissolution of marriage under Section 13B of the Act having regard to the Joint Memorandum of Compromise entered into between them.

When the matter is called, the appellant, represented by her Special Power of Attorney Holder, and the respondent, who are present in person and who have been identified by their respective counsel, have requested to dispose of the appeal in terms of the Joint Memorandum of Compromise annexed to F.C.A.MP.No.454 of 2015.

Having regard to the reasons stated in the affidavit filed in support of F.C.A.MP.No.454 of 2015, the petition is allowed as prayed for. Consequently, the appeal is allowed dissolving the marriage of the appellant with the respondent, subject to the terms and conditions as stated in the Joint Memorandum of Compromise. The terms of Joint Memorandum of Compromise shall form part of the decree.

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

R. SUBHASH

REDDY, J

A. SHANKAR

NARAYANA, J

September 09, 2015

MD