

Sreeja, vs D.Chandralal,

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Court : Kerala Orders

Decided On : Mar-01-2023

Judge : Honourable Mr. Justice Anil K.Narendran,Honourable Mr.Justice P.G. Ajithkumar

Appeal No. : Mat.Appeal/789/2019

Appellant : Sreeja,

Respondent : D.Chandralal,

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE ANIL K.NARENDRAN & THE HONOURABLE MR.JUSTICE P.G. AJITHKUMAR WEDNESDAY, THE 1ST DAY OF MARCH 2023 / 10TH PHALGUNA, 1944 MAT.APPEAL NO. 789 OF 2019 AGAINST THE ORDER/JUDGMENT DATED 17.07.2019 IN OP 529/2018 OF FAMILY COURT, KANNUR APPELLANT/RESPONDENT: SREEJA, AGED 46 YEARS D/O.KUMARAN VAIDYAR, NEST, KISAN ROAD, CHALAD P.O., MANAL, PALLIKKUNNU, KANNUR. K.RAJESH SUKUMARAN AKHILESH A.K. RESPONDENT/S: D.CHANDRALAL, AGED 56 YEARS S/O.DAMODHARA PANICKER, SENIOR BOXING COACH, SPORTS

AUTHORITY OF INDIA, LAKSHMIBHAI NATIONAL COLLEGE OF PHYSICAL EDUCATION (LNCPE), KARYAVATTAM P.O., THIRUVANANTHAPURAM- 695581. SRI.ADARSH KUMAR SRI.K.M.ANEESH SRI.DILEEP CHANDRAN SRI.SHASHANK DEVAN THIS MATRIMONIAL APPEAL HAVING BEEN FINALLY HEARD ON 01.03.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

Anil K.Narendran, J.

The appellant is the respondent in O.P.No.529 of 2018 on the file of the Family Court, Kannur, which was one filed by the respondent herein-husband, seeking a decree of divorce on the

grounds of cruelty, adultery and also desertion. By the judgment

and decree dated 17.07.2019, the Family Court, Kannur allowed that original petition, on the ground of cruelty, and the marriage solemnized on 04.02.1989 between the appellant and the respondent is declared as dissolved with effect from 17.07.2019.

2. Feeling aggrieved, the appellant-wife has filed this appeal, invoking the provisions under Section 19(1) of the Family Courts Act, 1984, along with an application for condonation of delay.

3. The delay in filing this appeal was condoned by the

order dated 04.12.2020 in C.M.Application No.1 of 2019 and

thereafter, on 07.01.2022, the appeal was admitted and the respondent entered appearance through counsel.

4. On 09.01.2023, though the matter was referred for mediation, it could not be settled.

5. Today, when this appeal came up for consideration, the learned counsel for the appellant has filed a not press memo dated 12.01.2023, which reads thus:

Pending the Appeal as the entire dispute between the Appellant and the Respondent has been amicably settled between us, the above Appeal is being not pressed. Hence this memo for not pressing the Appeal. Recording the aforesaid memo dated 12.01.2023 filed by the learned counsel for the appellant, this appeal is dismissed as not pressed. ANIL K.NARENDRAN P.G.AJITHKUMAR jg

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