



MFA No. 102023 of 2017

**IN THE HIGH COURT OF KARNATAKA, DHARWAD
BENCH**

DATED THIS THE 30TH DAY OF NOVEMBER, 2022

PRESENT

**THE HON'BLE MR JUSTICE S.SUNIL DUTT YADAV
AND**

THE HON'BLE MR JUSTICE UMESH M ADIGA

MFA NO. 102023 OF 2017 (FC-)

BETWEEN:

1. SMT. CHANNAMMA @ CHANDRIKA W/O BASAVARAJ BELERI, AGE: 32 YEARS, OCC: AGRICULTURE, COOLIE, R/O: KRISHNAPUR, TQ: SAVANUR, DIST: HAVERI.

...APPELLANT

(BY SRI. M C HUKKERI.,ADVOCATE)

AND:

1. SRI. BASAVARAJ S/O SATYAPPAM BELERI AGE: 37 YEARS, OCC: COOLIE, R/O: HALALAGERI, ABBIGERI ONI, TQ and DIST: GADAG.

...RESPONDENT

(BY SRI.AASMA N. MAKANDAR, ADV.
FOR SRI.S.S.KOLIWAD , ADVOCATE)

THIS MFA IS FILED U/S.19(1) OF THE FAMILY COURT ACT, 1955, AGAINST THE JUDGEMENT AND DECREE DATED:03.02.2017, PASSED IN MATRIMONIAL CASE NO.59/2016 ON THE FILE OF THE PRINCIPAL JUDGE FAMILY COURT, GADAG, ALLOWING THE PETITION FILED U/SEC. 13(1) (2) (3) OF THE HINDU MARRIAGE ACT.





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THIS APPEAL COMING ON FOR **HEARING**, THIS DAY THE
S. SUNIL DUTT YADAV J., DELIVERED THE FOLLOWING:-

JUDGEMENT

Both appellant and respondent along with their respective counsels are present and filed the compromise petition.

2. Both the parties stated that they understood the terms of the compromise recorded in compromise petition.

Terms of the compromise as recorded in the petition are as follows:

1. The appellant has filed case by challenging the exparte decree of divorce passed by the Family Court in M.C.No.59/2016 on 03.02.2017, now the appellant and the respondent both have compromised by mediation of elders of village and agreed to live together along with children.



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2. The respondent undertakes not to pickup quarrel with appellant for any reason and to maintain his wife and children with dignified manner.

3. The appellant also undertakes not to pickup quarrel with respondent for any reason and to maintain her husband and children with dignified manner.

4. The appellant wants to withdraw the Criminal Misc.No.229/2019 and Criminal Misc.No.109/2017 are pending on family Court, Gadag in view of this compromise arrived between the appellant and respondent.

3. It is found that the compromise is valid and legal and parties have entered into that knowing fully well the consequences of the same.



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4. In light of the same, judgment of trial Court passed in M.C.No.59/2016 is set aside. Matter is disposed off in terms of the compromise.

Decree to be drawn accordingly.

**Sd/-
JUDGE**

**Sd/-
JUDGE**

HMB
List No.: 1 SI No.: 55