HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF MARCH, 2026

PRESENT

THE HON'BLE MR. JUSTICE JAYANT BANERJI

AND

THE HON'BLE MR. JUSTICE RAJESH RAI K

MISCELLANEOUS FIRST APPEAL NO. 391 OF 2023 (FC)

BETWEEN:

SMT.RAMADEVI,
W/O.NANDAKUMAR,
AGED ABOUT 24 YEARS,
R/AT NO.39/2, 3RD CROSS,
BHAGATH SINGH ROAD,
MUTHYALPETE, MULBAGAL,
KOLAR DISTRICT- 563 131

PRESENTLY R/AT
C/O VISHWANATHASHETTY,
NO.1037, SRINIVASA COFFEE WORKS
C.M.ROAD, K.R.NAGARA
MYSORE-571 602

...APPELLANT

(BY SMT.VAISHALI HEGDE, ADVOCATE)

Digitally signed by KAVYA G
Location: High Court of Karnataka

AND:

SRI. K.R.NANDAKUMAR,
S/O RAMAPPA,
AGED ABOUT 30 YEARS,
R/AT NO.569, BEL COLONY,
OPP. NAGALAND BUS STAND,
JALAHALLI, BANGALORE,

NOW R/AT
KONDARAJANAHALLI VILLAGE,
KOLAR TALUK- 563 101

...RESPONDENT

(BY SMT.SUMANGALA A SWAMY, ADVOCATE)

THIS MISCELLANEOUS FIRST APPEAL IS FILED UNDER SECTION 19(1) OF THE FAMILY COURT ACT PRAYING TO SET ASIDE THE JUDGMENT AND DECREE DATED 13.12.2022 PASSED IN M.C.NO.67/2017 ON THE FILE OF THE PRINCIPAL JUDGE, FAMILY COURT, KOLAR, DISMISSING THE PETITION FILED U/S.13(1)(1a) & (1b) OF THE HINDU MARRIAGE ACT.

THIS MISCELLANEOUS FIRST APPEAL COMING ON FOR HEARING THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE JAYANT BANERJI
AND
HON'BLE MR. JUSTICE RAJESH RAI K

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE JAYANT BANERJI)

The aforesaid appeal is filed by the wife challenging the order dated 13.12.2022 passed by the Principal Judge Family Court at Kolar in MC No.67/2017, whereby the petition filed by the appellant under Section 13(1) (i-a) & (i-b) of the Hindu Marriage Act, 1955[1] was dismissed.

2. A joint compromise petition has been filed, which is signed by both the parties, who are identified by their respective advocates in the aforesaid joint memo filed by the parties. Under the terms of the settlement, neither of the

[1] HM Act

parties are claiming anything against each other. Only dissolution of the marriage is sought.

3. The parties, who are present in person before the Court and who have been identified by their respective advocates, state that they have signed the joint memo of their own free will and accord without any undue influence or coercion. We find the terms of the settlement reflect the true and correct views of the parties.

4. A joint application filed under Order XXIII Rule 3 of CPC read with Section 13-B of the HM Act, has been filed today in Court, which is supported by a joint affidavit of the parties.

5. The parties are identified by their respective advocates in the joint affidavit. In the affidavit the parties seek a decree of divorce by way of mutual consent.

6. We have perused the affidavit and are satisfied that the marriage between the parties is sought to be dissolved on the ground of mutual consent. The application is

accepted. The application under Section 13-B of the HM Act is allowed and a decree of divorce shall be issued.

7. The terms of the joint compromise petition shall form part of the decree.

8. The decree dated 13/17.12.2022 passed by the Principal Judge, Family Court, Kolar, in MC No. 67/2017 is set aside and this appeal is allowed in terms of a joint compromise petition.

Sd/-
(JAYANT BANERJI)
JUDGE

Sd/-
(RAJESH RAI K)
JUDGE

KGR
List No.: 2 Sl No.: 10