

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4014 OF 2015
WITH
CIVIL APPLICATION NO.695 OF 2016

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
---	---------------------------

Mr.Rakesh Kumar Singh for the petitioner

Ms.Vimla R. Vora for the respondent

CORAM : K. K. TATED, J.
DATE : AUGUST 29, 2016

P.C.:

- 1 Heard the learned counsel for the parties.
- 2 By this petition under Article 227 of the Constitution of India the Petitioner husband challenges the order dated 21.1.2015 passed by Family Court, Mumbai at Bandra in Interim Application No.19 of 2015 in Petition A-8 of 2010 directing petitioner husband to clear the medical expenses of Rs.3,81,642/- with 9% interest.
- 3 Office note shows that pursuant to the order passed by this court, till today petitioner has paid sum of Rs.2.0 lacs only. It is to be noted that petitioner and respondent entered into Consent Terms Exhibit-E dated 25.5.2011 in which the

petitioner husband agreed to pay maintenance of Rs.2,000/- p.m. from June, 2011 to the wife and also agreed to pay medical expenses. Hence, respondent wife claimed sum of Rs.3,81,642/- which was spent by her on medical expenses.

4 Considering the submissions made by the learned counsel for the petitioner and the earlier orders passed by this court by which the petitioner paid sum of Rs.2.0 lacs to the respondent wife, I am of the opinion that it is not possible to prolong this litigation as the petitioner is asking time again and again. Hence, following order is passed:

- a) Petitioner to clear entire amount of medical expenses as per order dated 21.1.2015 passed by Family Court at Bandra below Exhibit-51 in Interim Application No.19 of 2015 on or before 30.9.2016, failing which respondent wife is entitled to proceed with Recovery Application No.288 of 2015 according to law.
- b) Petition stand disposed of accordingly.
- c) In view thereof, Civil Application does not survive. The same is also dismissed as infructuous.

JUDGE