

HIGH COURT OF CHHATTISGARH, BILASPUR**FAM No. 20 of 2017**

1. Dhanesh S/o Dwarika Verma (Kurmi), Aged About 43 Years
Occupation Agriculturist, R/o Village Sukhatal, P.S. And Tahsil
Kawardha, District Kabirdham, Chhattisgarh
(Non-Applicant)

---- Petitioner**Versus**

1. Ku. Manisha D/o Dhanesh Verma, Aged About 19 Years
Occupation Student, B.A. Second Year, R/o Village Sukhatal, At
Present Bodhaikunda, Tahsil Kawardha, District Kabirdham,
Chhattisgarh(Applicant)

---- Respondent

For Appellant
For Respondent

Shri Badal Lal Bhardwaj, Advocate
Shri Sameer Singh, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra
Hon'ble Shri Justice Arvind Singh Chandel

Judgment On Board**By****Prashant Kumar Mishra, J.****03/08/2017**

1. At the very outset, Shri Badal Lal Bhardwaj, learned counsel appearing for the appellant, would fairly submit that in view of the fact that the respondent is the legally born child of the appellant from his first wife, the appellant is legally & morally obliged to incur the necessary expenditure in the marriage of his

daughter (respondent herein), who has, in fact, been married during pendency of the proceedings, however, the appellant being a daily rated labourer with some small area of land owned by him (marginal farmer), considering the meager means the appellant may be permitted to pay the decretal amount of Rs.50,000/- in two installments payable in four months.

2. At this juncture, Shri Sameer Singh, learned counsel appearing for the respondent, would submit that the appellant has failed to pay the amount for the last one year i.e. 23-8-2016 when the order impugned was passed by the Court below, the prayer made by the appellant for allowing four months time to pay the amount does not appear to be reasonable.
3. Considering the submission made by the learned counsel appearing for the parties, it appears to us that the appeal can be disposed of by allowing the appellant to make payment of the decretal amount in two installments of Rs.25,000/- each. The first installment of which shall be paid by the appellant to the respondent by way of demand draft on or before 31st August, 2017 and the second installment of Rs.25,000/- shall be paid on or before 30th September, 2017 by way of demand draft.
4. The appellant shall deposit the demand draft before the Family Court, Kawardha and the trial Judge shall directly handover the

demand draft to the respondent immediately after the deposit.

5. Accordingly, the appeal is disposed of. The impugned decree is affirmed subject, however, to the facility of satisfaction of the decree in the manner indicated above.

6. There shall be no order as to costs.

Sd/-

Sd/-

Judge

Prashant Kumar Mishra

Judge

Arvind Singh Chandel

Gowri