

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL WRIT PETITION NO. 431/2015
 (SHIV SURENDRA MISHRA **VERSUS** DEEPLATA SHIV MISHRA)

 Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

 Mr. M.R. Pillai, counsel for the petitioner.
 Mr. Shiv S. Mishra present in the Court.
 Mr. A. Pathak, Advocate h/f Mr. S.V. Sirpurkar, counsel for the
 respondent.
 Mrs. Deeplata Shiv Mishra present in the Court.

CORAM : REVATI MOHITE DERE, J.

DATE : DECEMBER 07, 2017.

Heard learned counsel for the parties.

By this petition, the petitioner has impugned the judgment and order dated 16.04.2015, in so much as it awards lumpsum monetary relief of Rs.50,000/- + Rs.50,000/- as compensation to the respondent-wife.

Learned counsel for the petitioner-husband, on the instructions from the petitioner-husband, who is present in the Court, states that the petitioner-husband, without prejudice to his rights and contentions in other proceedings, is ready to comply with the order dated 16.04.2015 passed by the learned Additional Sessions Judge, Nagpur in Criminal Appeal No.160/2014. Learned counsel further states that out of lumpsum monetary relief of Rs.50,000/- awarded to the respondent-wife, the petitioner-husband has deposited Rs.50,000/- in the Registry of this Court.

Learned counsel for the respondent-wife states that the respondent-wife has withdrawn the said amount of Rs.50,000/-, deposited by the petitioner-husband.

As far as balance amount of Rs.50,000/- is concerned, which is awarded to the respondent-wife towards compensation, learned counsel for the petitioner-husband on instructions from the petitioner states, that the petitioner is ready to deposit the said amount of Rs.50,000/- in three monthly installments; that the first installment of Rs.20,000/- will be deposited on or before 29.12.2017; the second installment of Rs.20,000/- will be deposited on or before 29.01.2018; and the third installment of Rs.10,000/- will be deposited on or before 29.02.2018. The said statement of the petitioner-husband is accepted as an undertaking to this Court. The respondent-wife is at liberty to withdraw the aforesaid amounts which would be deposited by the petitioner-husband, without making any application to the Court.

Learned counsel for the respondent-wife, on instructions from the respondent-wife, who is present in the Court, states that as far as the impugned order dated 16.04.2015 is concerned, the respondent-wife does not intend to challenge the same and is accepting the lumpsum amount and compensation awarded to her in the D.V. proceedings, without prejudice to her rights and contentions to claim maintenance in other proceedings.

In view of the above, nothing survives for consideration in this petition and the same is disposed of as such. Rule is discharged.

JUDGE