

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

and

The Hon'ble Smt.Justice Anis

Family Court Appeal No.11 of 2017

Date: 20.01.2017

Between:

Mohammed Ghouse

.. Appellant

and

Raheemunnisa Begum and 5 others

.. Respondents

Counsel for the Appellant : Mr.Ali Farroq

The Court made the following:



Judgment: (Per Hon'ble Sri Justice C.V.Nagarjuna Reddy)

This Family Court Appeal (FCA) arises out of Order and Decree, dated 31-07-2014, in FCOP.No.770 of 2013 on the file of the Judge, Family Court at Hyderabad.

By the aforementioned order, the Family Court has directed payment of interim monthly maintenance @ Rs.3,000/- each to respondent Nos.1 to 5 from the date of the petition. The Family Court further directed that respondent Nos.2, 3 and 5 are entitled to get maintenance from the appellant till they get married or get employment, whichever is earlier, and that respondent No.4 is entitled to get maintenance from respondent No.1 till he attains 25 years of age or gets employment or gets married, whichever is earlier.

On the initiative of this Court, the learned Counsel for both parties consulted their respective clients. Respondent No.1 is personally present in the Court. After due deliberations, the learned Counsel for both parties in consultation with their respective clients, agreed for settlement of the dispute in the following terms:

“1. The Appellant will pay Rs.5 lakhs towards arrears of maintenance to respondent No.1. Since a sum of Rs.3,45,000/- was stated to have already been deducted from the monthly salaries of the appellant during the pendency of the OP, he is agreeable for deduction of the balance amount from his salary to make Rs.5 lakhs by respondent No.1 by filing appropriate application before the Family Court;

2. Respondent No.1 is entitled to withdraw the amounts lying to the credit of the OP and also to be credited as per the direction issued in (1) supra without furnishing security;

3. The appellant also agreed for payment of monthly maintenance @ Rs.3,000/- each to Respondent Nos.1 and 5 till respondent No.5 gets married and @ Rs.5,000/- to respondent No.1 alone thereafter; and

4. The respective shares of monthly maintenance amounts are permitted to be withdrawn by respondent Nos.1 and 5 from time to time without furnishing any security.”

In the light of the above-noted terms agreed between the parties, Order and Decree, dated 31-07-2014, in FCOP.No.770 of 2013 stands modified in terms thereof. FCA is disposed of accordingly.

As a sequel to disposal of the FCA, FCAMP.No.19 of 2017, filed by the appellant for interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

(Anis, J)

Dt: 20th January, 2017
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