

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

**CIVIL APPLICATION NO.464 OF 2014
IN
FAMILY COURT APPEAL NO.314 OF 2014**

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

Mr.Denzil D'Mello for the applicant

Mrs.Gayatri Singh i/b Mr.Basil Menezes for the respondent

**CORAM : K. K. TATED &
B.P. COLABAWALLA, JJ.
DATE : MARCH 1, 2018**

P.C.:

1. Heard the learned counsel for the parties.
2. This Application is preferred by Husband for stay of the operation and execution of the impugned judgment and decree dated 13.10.2014 passed by Family Court, Mumbai in Petition No.A-2084 of 2009 by which Family Court directed Applicant husband to pay permanent alimony of Rs.35,00,000/- to the wife within three months from the date of order. In case of default, he has to pay maintenance @ Rs.50,000/- per month.
3. The learned counsel for the Applicant

submits that as per earlier orders passed by this court, they already deposited Rs.30,00,000/- in the Registry of this court on 26.10.2016.

4. The learned counsel for the Applicant after taking instructions from his client who is present in court makes a statement that he is ready and willing to deposit Rs.5,00,000/- within four weeks from today in the Registry of this court.

5. Statement is accepted.

6. Hence, following order is passed:

a) The operation and implementation of the impugned judgment and decree dated 13.10.2014 passed by Family Court, Mumbai in Petition No.A-2084 of 2009 is stayed, till hearing and final disposal of the appeal on condition that the Applicant to deposit remaining Rs.5,00,000/- in the Registry of this court within four weeks from today, failing which the Civil Application shall stand dismissed without further reference to the court.

b) In case Applicant failed to deposit sum of Rs.5,00,000/- within stipulated time as stated hereinabove, he has to pay sum of Rs.50,000/- per month as per order passed by the Trial Court.

c) Liberty granted to the Respondent wife to make appropriate Application for withdrawal of the said amount and that Application be decided on its own merits.

d) Family Court Appeal be placed on board for final hearing in the week commencing from 09.04.2018.

e) Civil application stands disposed off accordingly.

(B.P.COLABAWALLA, J.)

(K.K.TATED, J.)