

HON'BLE SRI JUSTICE SURESH KUMAR KAIT

AND

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

FAMILY COURT APPEAL No.323 OF 2018

JUDGMENT: (Oral, *Per* Hon'ble Sri Justice Suresh Kumar Kait)

Vide the present Appeal, the appellants have challenged the order, dated 09.04.2018, passed in O.P. No.686 of 2017 by the Principal Judge, Family Court, Hyderabad (for short, 'the trial Court'); whereby the trial Court, while dissolving their marriage dated 01.01.2000 by mutual consent, directed them, being the parents of minor daughter *viz.*, Sai Vaishnavi, to deposit a sum of Rs.5,00,000/- each in the name of the minor child in a Fixed Deposit Receipt, till she attains the age of majority.

Both the appellants are personally present in Court. The custody of the minor child is given to the 1st appellant – mother and visitation rights are already granted to the 2nd appellant – father. Learned counsel for the appellants submits that either of the appellants are not in a position to spare an amount of Rs.5,00,000/- each. Therefore, the said condition may be set-aside by maintaining the divorce granted by the trial Court.

Keeping in view of the averments made in the instant Appeal, and the submission of learned counsel for the appellants, we hereby maintain the decree of divorce granted by the trial Court *vide* order dated 09.04.2018 in O.P. No.686 of 2017. However, we hereby set-aside the direction given by the trial Court for deposit of an amount of Rs.5,00,000/- each in the name of their minor child.

Accordingly, with the above observations, the Family Court Appeal is allowed. No costs.

As a sequel, the miscellaneous applications, if any pending, shall stand closed.

SURESH KUMAR KAIT, J

ABHINAND KUMAR SHAVILI, J

Date: 08-08-2018.
Dsh



HON'BLE SRI JUSTICE SURESH KUMAR KAIT

AND

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

89



17082018

FAMILY COURT APPEAL No.323 OF 2018

(Judgment of the Division Bench delivered by
Hon'ble Sri Justice Suresh Kumar Kait)

Date. 08-08-2018

DSH