

2. It is against this judgment that the husband has preferred the present Appeal. During the course of the arguments, both sides arrived at a broad settlement. The husband did not press for the relief for setting aside the decree of dissolution of marriage. His grievance however was with respect to payment of total amount of Rs.5,60,000/- to the wife. During the course of the arguments, we learnt that the couple has a son who is presently aged about 23 years. Both sides agreed that the entire amount was to be paid over to the son. However, the son may not be allowed to withdraw the capital for a period of five years.

3. In view of these concessions, this Appeal is disposed off with following directions :

- i. The decree of dissolution of marriage is not disturbed.
- ii. The Appellant husband shall pay a total of Rs.5,60,000/- to his son - Ashish Dewnani in four equal monthly installments falling due on 1st August, 2019, 1st September, 2019, 1st October, 2019 and 1st November, 2019. The son shall take out fixed deposits in any nationalised or a scheduled bank out of such sum for a period of five years. He will not be allowed to withdraw the said amount prematurely. However, the bank shall pay over interest accrued thereon quarterly. After the end of period of five years, the son will be allowed to utilize this amount as per his wish.
- iii. The decree of the Family Court is modified to the above extent.
- iv. The Execution Application filed by the wife before the Family Court would not survive.

v. The Petition and Civil Application are accordingly disposed off.

(S.J.KATHAWALLA, J.)

(AKIL KURESHI, J.)