

THE HON'BLE THE CHIEF JUSTICE HIMA KOHLI
AND
THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

F.C.A.No.22 of 2019

JUDGMENT: (Per the Hon'ble the Chief Justice Hima Kohli)

1. This order is in continuation of the orders passed on 01.07.2021, 08.07.2021 and 15.07.2021. The offer made by the respondent in the fresh affidavit filed by him under index dated 12.07.2021 was crystalised in para 2 of the order passed on 15.07.2021. In view of some suggestions made to the respondent, he had sought time to mull over the matter.

2. Today, both the parties are again present. The respondent states that he cannot go beyond the offer made by him and recorded in para 2 of the order dated 15.07.2021. After some deliberations, the appellant has agreed that a sum of Rs.20,00,000/-, be paid by the respondent directly into the account of the daughter of the parties. She has accepted the offer made by the respondent of continuing to pay the premium for the Sukanya Samriddhi Yojana policy for the child, maturity whereof will be in the year 2040, in the range of Rs.28,50,000/-. Lastly, she has agreed that if the respondent pays the school fees of the child upto Class XII, then she will not insist on his taking out another LIC policy for the daughter with the maturity amount of Rs.20,24,000/-.

3. In view of the aforesaid agreement, it is directed as follows:-

(i) The respondent shall deposit a sum of Rs.20,00,000/- directly into the Savings Bank Account of the daughter of the parties on or before 21.08.2021. The details of the bank account shall be furnished by learned counsel for the appellant directly to the counsel for the respondent in the course of the day.

(ii) The respondent shall furnish to the respondent a copy of the Sukanya Samriddhi Yojana policy taken out by him in favour of the daughter within one week from today. He undertakes that he shall continue paying the annual premium of Rs.60,000/- towards the said policy, till the same is due for maturity.

(iii) The respondent undertakes that he punctually shall pay the school fee of the daughter, who is presently in Class VII, till she clears Class XII.

4. The respondent shall file an affidavit giving an undertaking that he shall abide by the terms of settlement, as recorded above, within one week with a copy to learned counsel for the appellant.

5. In view of the aforesaid settlement, the appellant has agreed that besides the present case, she shall withdraw all the cases filed by her against the respondent, details whereof have been furnished in the affidavit dated 12.07.2021, within two weeks from today. She shall also render all necessary cooperation to the respondent, as and when he files an application for seeking quashing of the criminal cases filed by her against him.

6. The present appeal is disposed of in terms of the aforesaid settlement along with the pending applications, if any, while making it clear that if either party reneges therefrom, then besides the aggrieved party seeking restitution in all manners, the defaulting party shall also face contempt of court proceedings.

HIMA KOHLI, CJ

B. VIJAYSEN REDDY, J

22.07.2021
JSU/PLN