

IN THE HIGH COURT OF ORISSA AT CUTTACK

MATA No.18 of 2020

D. Tripati Rao

....

Appellant

Mr. Suvashish Pattnaik, Advocate

-Versus-

Sunita Prusty & another

....

Respondents

Mr. Debasis Mishra, Advocate

**CORAM:
JUSTICE C.R. DASH
JUSTICE SAVITRI RATHO**

**ORDER
14.02.2022**

Order No.

- 04.
1. This matter is taken up through Hybrid Arrangement (Virtual / Physical) Mode.
 2. Though this matter is listed under the heading of 'Orders', the same is taken up for final disposal on the consent by learned counsels for both the parties.
 3. Heard Mr. Suvashish Pattnaik, learned counsel for the Appellant and Mr. Debasis Mishra, learned counsel for the Respondents.
 4. This appeal has been filed by the husband – Appellant against the ex parte order of maintenance awarding Rs.30,000/- (thirty thousand) in toto to the wife and son with effect from

23.04.2013. The arrear maintenance amount till December, 2021 comes to Rs.28,80,000/- (twenty-eight lakhs eighty thousand).

5. Regard being had to the facts situation of the case and willingness of the Appellant to participate in the proceeding to substantiate his claim, we dispose of this Appeal by directing the Appellant – husband to pay 50% of the aforesaid total arrear amount of maintenance to the Respondents within eight weeks from today before the Judge, Family Court, Puri in Civil Execution Case No.8 of 2015. If such amount is deposited before the Judge, Family Court, Puri within the time fixed, the ex parte judgment and decree dated 13.08.2015 and 27.08.2015 respectively passed in C.P. No.43 of 2013 shall be set aside, and the matter shall be heard afresh giving opportunity of hearing to the Appellant and the Respondents. The C.P. be disposed of within six months from the date of appearance of both the parties before the Judge, Family Court, Puri.

6. The Appellant is directed to file his show-cause / written statement / objection, etc. before the learned Judge, Family Court, Puri on the date of his appearance before that Court. The amount deposited towards arrear maintenance, as ordered supra, shall be adjusted towards payment, in the final order to be passed by the Judge, Family Court, Puri in the said case.

7. With the aforesaid directions / observations, the MATA is disposed of.

8. It is needless to mention here that, within one month from the date of appearance of the parties before the Judge, Family Court, Puri, steps for conciliation between the parties shall be taken up.

9. Urgent certified copy of this order be granted as per rules.

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C.R. Dash, J.

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Savitri Ratho, J.

S.K. Parida

