

IN THE HIGH COURT OF ORISSA AT CUTTACK

MATA No.38 of 2019

Gitanjali Sahoo

....

Appellant

Mr.M.K.Panda, Advocate

-versus-

Biswajit Behera

....

Respondent

Mr.S.Mohapatra, Advocate

CORAM:

SHRI JUSTICE S. TALAPATRA

SHRI JUSTICE B. P. ROUTRAY

ORDER
12.07.2022

Order No.

13.

1. The matter is taken up through Hybrid mode.
2. This appeal arises from the judgment dated 28th February, 2019 delivered in C.P.No.11 of 2019 by the Judge, Family Court, Angul. Pursuant to the said judgment, decree of divorce has been issued in favour of the Respondent. There was direction to pay the monthly maintenance of Rs.7,500/- to the Appellant and to return all Stridhan properties to her.
3. Mr.M.K.Panda, learned counsel appearing for the Appellant has submitted that the Appellant will not insist the challenge against the judgment and decree of dissolution of marriage, if a substantive

amount of alimony is paid by the Respondent. For this purpose, by the order dated 28th June, 2022, it was directed that Mr.S.Mohapatra, learned counsel appearing for the Respondent shall take instruction from the Respondent on to what extent he is ready to pay the alimony.

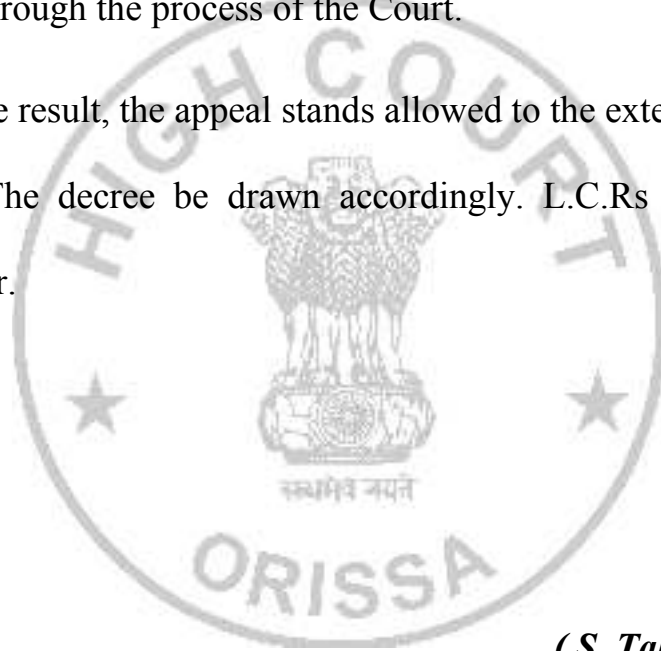
4. Learned counsel for the Respondent has apprised us today that the Respondent is ready to pay alimony to the extent of Rs.10,00,000/-.

5. Mr.Panda, learned counsel appearing for the Appellant has seriously reacted against the said proposal. The Respondent is a Trained Graduate Teacher in Central Government school. As such, the Respondent has sufficient resource to pay an amount which is adequate to maintain a decent life.

6. Having appreciated the submissions of the learned counsel for the parties and taking into consideration all the relevant factors, such as, the financial capability of the Respondent, the financial situation of the Appellant and also the need for leading a decent life, we are of the view that the Respondent should pay a sum of Rs.15,00,000/- (fifteen lakhs) as permanent alimony on discontinuation of the monthly maintenance, as has been directed by the impugned judgment and decree: Accordingly, it is ordered.

7. The Respondent is directed to pay the said amount of Rs.15,00,000/-(Fifteen lakhs) within a period of three months from today. If the said amount is not paid within a period of three months from today, that will carry interest at the rate of 7% per annum till realization of the said amount. In the event of non-payment, this decree shall be treated as the money decree for purpose of realization of money. The Appellant will be at liberty to execute the decree through the process of the Court.

8. In the result, the appeal stands allowed to the extent as indicated above. The decree be drawn accordingly. L.C.Rs be sent down thereafter.



(S. Talapatra)
Judge

(B.P. Routray)
Judge