

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO. 13326 OF 2022

Hemanta Kumar Behera

....

Petitioner

Mr. Subrata Panda, Advocate

-versus-

Santilata Behera

....

Opp. Party

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

14.09.2022

Order No.

5. 1. This matter is taken up through hybrid mode.
2. The Petitioner in this writ petition prays for a direction to set aside the order dated 19th April, 2022 (Annexure-1) passed by learned Judge, Family Court, Rourkela in Execution Case No. 08 of 201 (arising out of C.P. No.87 of 2000).
3. The order dated 19th April, 2022 reads as under:
- “Both the parties are present. It is submitted by the J.dr. that the matter has been compromised & he has already paid a sum of Rs.1,00,000/- (Rupees One Lakh) only to the petitioner. On the contrary the petitioner submits that, she has not received any permanent alimony, in view of order passed in C.P.79/07. In view of the above submission made by the parties, call for the original case record from Record Room & put up on 11.05.2022 for hearing.”*
4. On perusal of the order impugned herein, it reveals that the Petitioner on the said date appeared before the Executing Court and made a submission that on the basis of compromise, the Petitioner has already paid a sum of Rs.1.00 lakh to the Opposite Party. On the contrary, the Opposite Party submitted that she has not received any permanent alimony in view of the

order passed in C.P. No. 79 of 2007. Considering the rival contentions of the parties, learned Judge, Family Court, Rourkela called for the original case record from the record room and the matter was directed to be put up on 11th May, 2022 for hearing. Thus, nothing adverse has been passed against the Petitioner to be challenged in this writ petition. If the Petitioner has any grievance with regard to payment of money to the Opposite Party, he may appear before learned Judge, Family Court, Rourkela and appraise the same.

5. In view of the above, this writ petition being not maintainable is dismissed.

Urgent certified copy of this order be granted on proper application.

(K.R. Mohapatra)
Judge

bks

