

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO. 12421 OF 2018

Jhunupriya Nayak

....

Petitioner

Ms. Tapaswini Sinha, Advocate

-versus-

Manoj Kumar Nayak

....

Opp. Party

Mr. Samir Kumar Mishra, Advocate

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

15.12.2022

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 11th May, 2018 (Annexure-3) passed in CMA No. 25 of 2016 (arising out of Mat. Case No.48 of 2016), whereby learned Civil Judge (Senior Division), Anandpur directed the Opposite Party to pay *pendente lite* maintenance @ Rs.5,000/- per month and expenses of the proceeding during pendency of the Mat. Case.
 3. In course of hearing, a legal issue arose for consideration as to whether the maintenance as awarded in the impugned order under Annexure-3 should be paid from the date of application or from the date of the order. However, it is admitted by learned counsel for the parties that the Opposite Party is paying the current maintenance as per the impugned order under Annexure-3. So far as arrear maintenance is concerned, it is submitted by learned counsel for the parties that the matter has already been settled out of Court and the Opposite Party will pay a sum of Rs.60,000/-

towards arrear maintenance pursuant to the impugned order under Annexure-3.

4. In view of the above, no further order is required to be passed in this writ petition.

5. Accordingly, this writ petition is disposed of directing the Opposite Party to pay a sum of Rs.60,000/- (Rupees sixty thousand only) to the Petitioner towards arrear maintenance within a period of fifteen days hence.

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

(K.R. Mohapatra)
Judge

bks

