

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP No. 561 OF 2022

Muna Lohar

....

Petitioner

Mr. Pabitra Kumar Nayak, Advocate

-versus-

Priti Bindhani @ Lohar

....

Opp. Party

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

05.09.2022

Order No.

4. 1. This matter is taken up through hybrid mode.
2. The Petitioner in this CMP seeks for a direction to set aside the order dated 17th May, 2022 (Annexure-4) passed by learned Senior Civil Judge, Rairangpur in I.A. No.68 of 2021 (arising out of Mat No.161 of 2021), whereby an application filed by the Opposite Party under Section 24 of the Hindu Marriage Act, 1955 (for short 'the Act') was allowed by directing the Petitioner to pay maintenance @ Rs.10,000/- per month to the Opposite Party-Wife and Rs.5,000/- per month to the minor girl residing with her with effect from the date of filing of the application i.e. from 13th December, 2021.
3. In course of hearing, learned counsel for the parties submit that learned Senior Civil Judge, Rairangpur is not justified in directing payment of Rs.5,000/- per month to the minor girl in a petition filed under Section 24 of the Act. Hence, direction to pay maintenance @ Rs.5,000/- per month to the minor girl may be set aside and a direction may be made that the

Petitioner shall go on paying @ Rs.10,000/- per month to the Opposite Party-Wife.

4. Learned counsel for parties further submit that since the Mat No.161 of 2021 is filed by the present Petitioner under Section 9 of the Act, interest of justice will be best served, if an effective conciliation is made to that effect.

5. In view of the above, the CMP is disposed of with a modification to the effect that direction to the Petitioner to pay *pendente lite* maintenance @ Rs.5,000/- per month to the minor girl is set aside. However, *pendente lite* maintenance directed to be paid to the Opposite Party is upheld. It is further directed that on filing of an application by the parties, learned Senior Civil Judge, Rairangpur shall make an endeavour to send the matter to the Mediation Centre for conciliation/mediation between the parties.

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

(K.R. Mohapatra)
Judge

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