

IN THE HIGH COURT OF ORISSA AT CUTTACK

MATA No. 40 of 2021

Suryakant Mohapatra

.....

Appellant

Mr. Om Swarup, Advocate

-versus-

Smt. Rasmita Sahu

.....

Respondent

Mr. D. Mohapatra, Advocate

CORAM:

JUSTICE S. TALAPATRA

JUSTICE M.S. SAHOO

ORDER

29.08.2022

Order No.

13.

1. This matter is taken up through hybrid mode.
2. Heard Mr. Om Swarup, learned counsel appearing for the Appellant and also Mr. D. Mohapatra, learned counsel appearing for the Respondent.
3. Through Mr. Mohapatra, learned counsel, the Respondent has stated that she would not have any objection, if the order of divorce is passed without any permanent alimony as she has consciously abandoned the claim of permanent alimony.
4. Mr. Swarup, learned counsel has submitted that during pendency of the Civil Petition No.13 of 2018, the Respondent re-married. Having noted the fact, the Judge, Family Court, Khurda decreed the suit by dissolving the marriage that was subsisting between the parties. By the said

judgment and decree dated 27.03.2019, the Appellant was directed to pay a sum of Rs.6,00,000/- as alimony to the Respondent herein.

5. As the Respondent by filing an affidavit has stated before this Court that she will not claim any alimony and the decree of divorce be maintained without making any provision for the permanent alimony, this appeal stands partly allowed. The Respondent should not get any alimony. The direction contained in the judgment and decree dated 27.03.2019 as delivered in Civil Petition No.13 of 2018, to that extent, is set aside. However, the decree of divorce stands affirmed.

6. Draw the decree accordingly.

7. If LCRs are received, be returned thereafter.

8. Copy of the memo along with the affidavit filed by the Respondent be made part of the record.

(S. Talapatra)
Judge

(M.S. Sahoo)
Judge