

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY
AND
THE HON'BLE SRI JUSTICE M.LAXMAN

F.C.A.NO.99 OF 2020

JUDGMENT (Per the Hon'ble Sri Justice A.Rajasheker Reddy)

The appellant herein is the husband, and respondent was his wife. The respondent filed HMOP.No.284 of 2016 on the file of the Family Court at Secunderabad seeking dissolution of marriage under Section 13(1)(ia) and (ib) of the Hindu Marriage Act, 1955.

2. Vide judgment and decree dated 28.02.2020 the trial court allowed the application in part dissolving the marriage, and directed the husband to pay permanent alimony of Rs.20,00,000/- to the respondent.

3. The dispute in this appeal is only with regard to quantum of permanent alimony granted by the trial court, and granting decree of divorce, is not under challenge.

4. Learned counsel for the appellant / husband, on instructions, submits that appellant is not disputing the impugned order and decree of the trial court and that he is willing to pay the permanent alimony awarded by the trial court, but as he is out of employment, he may be granted three months time to pay the amount in two instalments.

5. Learned counsel appearing for the respondent, on instructions, does not seriously dispute the above submission, but submits that since 2016 no amount is paid to the respondent and that she is in dire need of money, and this court may consider for granting of some reasonable time for payment of permanent alimony. She further submits that in case of default, the appellant may be directed to pay interest on the permanent alimony granted by the trial court.

6. Having regard to the facts and circumstances of the case, and consensus arrived at, impugned order, with regard to dissolving the marriage, and the quantum of permanent alimony, is confirmed. But however, the appellant is granted time for payment of permanent alimony. He is directed to pay 50% of the permanent alimony to the respondent, which comes to Rs.10,00,000/- (Rupees ten lakhs only), within a period of six weeks from today, and the balance 50% i.e., Rs.10,00,000/- (Rupees ten lakhs only), within a period of six weeks thereafter.

7. In case of any default, the entire permanent alimony granted by the trial court shall carry interest at the rate of 12% per annum from the date of this order, till the date of payment, and it is open to respondent to execute the decree.

8. The appeal is disposed of accordingly.

9. Interlocutory Applications pending, if any, shall stand closed. No order as to costs.

A.RAJASHEKER REDDY,J

M.LAXMAN,J

DATE:17—02—2022
AVS