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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ MAT.APP.(F.C.) 61/2023, CM APPL. 25006/2024-Stay, CM APPL. 59558/2024-By appellant for modification of order dt. 08.08.2024.
CM APPL. 61278/2024-For withdrawal of amount.

SHAMMI CHADHA

.....Appellant

Through: Mr. Vaibhav Arora and Ms. Amrita Jha, Advocates with appellant in person.

versus

SANGEETA CHADHA

.....Respondent

Through: Mr. Arun Singh and Mr. Rahul Kumar, Advocates with respondent in person.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

12.12.2024

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1. The present appeal preferred by the appellant-husband under Section 19 of the Family Courts Act, 1984 seeks to assail the order dated 01.12.2022 passed by the learned Family Court, District South, Saket Courts, New Delhi in HMA No.140/2017. Vide the impugned order, the learned Family Court has allowed the application filed by the respondent-wife for permanent alimony by directing the appellant to pay her a sum of Rs.60 Lacs in three equal yearly instalments, first instalment being payable on or before 01.12.2023.

2. It is the common case of the parties that the appellant has already deposited a sum of Rs.20 Lacs with the Registrar General of this Court.



3. After arguing the matter at some length, learned counsel for the appellant, on instructions from the appellant, who is present in the Court, submits that in order to bring a quietus to all the pending disputes between the parties, the appellant has no objection to the sum of Rs.20 Lacs already deposited with this Court to be released in favour of the respondent with up-to-date interest thereon. He further states that the appellant is also agreeable to pay the remaining sum of Rs.40 Lacs to the respondent on or before 30.06.2025 even though as per the impugned order the payment had to be made in three equal annual instalments of Rs.20 Lacs each of which, Rs.20 Lacs has been deposited with this Court, however, *albeit* this would be subject to the respondent withdrawing all other pending cases including the petition preferred under Section 12 of the Protection of Women from Domestic Violence Act, 2005 and execution proceedings filed by her which are still pending.

4. In response thereto, the learned counsel for the respondent upon instructions from the respondent who is present in Court assures the Court that she will withdraw all her pending cases upon receipt of the entire sum of Rs.60 Lacs within a reasonable time frame as fixed by this Court.

5. In light of the aforesaid stand taken by the parties, we find it to be a fit case for disposal of the appeal by taking the statements of both parties on record and directing that the sum of Rs.20 Lacs already deposited with this Court be released in favour of the respondent with up-to-date interest thereon. We further direct the appellant to also pay the balance sum of Rs.40 Lacs to the respondent on or before 30.06.2025 whereafter, the respondent shall within one month of receiving the full amount of Rs.60 Lacs withdraw all other pending cases including the petition filed under section 12 of the



Protection of Women from Domestic Violence Act, 2005 and execution proceedings filed by her, which are still pending.

6. Needless to say, we further make it clear that in case the appellant is able to make the payment of balance amount of Rs.40 Lacs to the respondent on or before 30.06.2025, she shall withdraw the cases in terms of this order within a period of one month of the said date.

7. The appeal along with all the pending applications, is accordingly disposed of.

REKHA PALLI, J

SAURABH BANERJEE, J

DECEMBER 12, 2024/N