

**HIGH COURT FOR THE STATE OF TELANGANA**

**MAIN CASE No.: C.M.A No.252 OF 2022**

**PROCEEDINGS SHEET**

| <b>Sl. No.</b> | <b>Date</b> | <b>ORDER</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>OFFICE NOTE</b> |
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| 22.            | 01.04.2026  | <p><b><u>MB,J &amp; GPK,J</u></b></p> <p>Mr.G.Sundaresan, learned counsel appearing for the appellant.<br/>Mr.C.Hari Preeth, learned counsel appearing for the respondent.</p> <p style="text-align: center;"><b><u>I.A. No. 1 of 2026</u></b></p> <p>The appellant has challenged the order dated 29.04.2022 passed by the learned II Additional District Judge, Nalgonda at Suryapet (Trial Court), whereby the Special Marriage Original Petition No. 14 of 2021 was allowed and the marriage of the appellant and the respondent was dissolved. However, the Trial Court directed the respondent (petitioner before the Trial Court) to pay Rs.3,00,000/- to the appellant towards permanent alimony within three (03) months from the date of the order. The respondent was also directed to pay monthly maintenance of Rs.15,000/- to the appellant for the maintenance of their son. This amount was to be paid from the date of impugned order i.e., from 29.04.2022.</p> <p>The impugned order was stayed by a Co-ordinate Bench on 20.06.2022. By a subsequent order dated 25.09.2024, another Co-ordinate Bench permitted the appellant to withdraw Rs.3,00,000/- which was deposited by the respondent in the Trial Court. The Co-ordinate Bench noted that the release of the amount would not prejudice with the interest of the appellant.</p> <p>The appellant has filed I.A. No.1 of 2026 for a direction to the respondent to pay the arrears of maintenance from 29.04.2022 to December, 2025 as ordered by the Trial Court.</p> |                    |

We have heard learned counsel appearing for the appellant and the respondent.

The respondent's counter to the I.A. is also on record.

First, we fail to understand as to how the respondent construed the impugned order passed by the Trial Court on 29.04.2022 as an obligation to 'deposit' Rs.3,00,000/- towards permanent alimony.

The relevant part of the impugned order clearly indicates that the Trial Court directed the respondent to pay Rs.3,00,000/- to the appellant towards permanent alimony. In any event, although the Co-ordinate Bench stayed the impugned order on 20.06.2022, the stay cannot operate to the prejudice of the appellant to the extent of the directions passed by the Trial Court for payment of Rs.15,000/- per month for maintenance of the child.

The Court is informed that the child is now 13 years old and is studying 8<sup>th</sup> class in a School at Suryapet.

We also take note of the fact that the subsequent order passed by the Co-ordinate Bench on 25.09.2024 effectively implemented the directions of the Trial Court in respect of payment of Rs.3,00,000/- as permanent alimony to the appellant.

Hence, the directions passed by the Co-ordinate Bench cannot in any way effect the appellant's right to maintenance of Rs.15,000/- per month for the son who is presently staying with the appellant. The appellant has filed a calculation memo in I.A. No. 1 of 2026 showing the arrears of maintenance from 29.04.2022 (i.e., from the date of impugned order passed by the

trial Court) to 31.03.2026 i.e., Rs.15,000/- x 47 months) which amounts to Rs.7,05,000/-. The arguments made on behalf of the respondent that the respondent has been paying Rs.13,500/- per month in compliance with the order passed in D.V.C. No. 6 of 2017, has no bearing on the appellant's claim. Since the D.V.C. proceedings are partly allowed, the respondent has filed the Special Marriage Original Petition before the learned II Additional District Judge, Nalgonda at Suryapet.

We deem it fit to allow the present Interlocutory Application filed by the appellant for the arrears of the maintenance.

The respondent shall pay Rs.7,05,000/- before 27.04.2026 by way of cheque or demand draft or any mode of payment which is acceptable to the appellant.

The respondent shall file compliance memo in accordance with the aforesaid direction by 28.04.2026.

Accordingly, the I.A. is allowed modifying the order passed by the Co-ordinate Bench on 20.06.2022 to the extent of directing the respondent to pay the arrears of monthly maintenance to the appellant within the time period, as stated supra.

**C.M.A. No. 252 of 2022**

List this matter on 30.04.2026.

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**MB,J**

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**GPK,J**