

IN THE HIGH COURT OF ORISSA AT CUTTACK

MATA No.83 of 2014

Smt. Indira Dash @ Mohapatra ***Appellant***

Mr. S.K. Baral, Advocate

-versus-

Sri Sushanta Kumar Mohapatra ***Respondent***

Mr. S.R. Patnaik, Advocate

CORAM:

ACTING CHIEF JUSTICE DR. B.R. SARANGI

JUSTICE MURAHARI SRI RAMAN

ORDER

01.12.2023

Order No.

17. 1. This matter is taken up through hybrid mode.
2. Heard Mr. S.K. Baral, learned counsel for the Appellant and Mr. S.R. Patnaik, learned counsel for the Respondent.
3. So far as the impugned judgment passed by the Judge, Family Court, Berhampur in C.P. No.589 of 2010 dated 16.05.2014 is concerned, Mr. S.K. Baral, learned counsel for the Appellant is very fair to this Court contending that since the impugned judgment has been passed under Section 13 (1) of the Hindu Marriage Act by which the Respondent, who was the Petitioner in the aforesaid case before the Family Court, has been granted decree of divorce, to that extent the Appellant has no grievance. But, he contends that the

grievance is to the extent of grant of permanent alimony where the Judge, Family Court, Berhampur has awarded Rs.7,00,000/- towards permanent alimony to the Appellant-Wife and Rs.3,00,000/- towards the son.

4. Mr. S.R. Patnaik, learned counsel appearing for the Respondent states that the entire permanent alimony amount i.e., Rs.7,00,000/- and Rs.3,00,000/- as awarded by the Judge, Family Court, Berhampur had been deposited before this Court and has also been disbursed which has been acknowledged by Mr. S.K. Baral, learned counsel for the Appellant.

5. But, it is contended that since the Appellant, the wife of the Respondent is suffering from cancer and the permanent alimony granted i.e., Rs.7,00,000/- may not be sufficient and also the Respondent was also an Judicial Officer and in the meantime though he has retired from service. But, to give more amount to compensate the difficulties of the Appellant, if the permanent alimony granted to the Appellant as well as son can be enhanced, then it will suffice the purpose.

6. To that effect, Mr. S.R. Patnaik, learned counsel for the Respondent seeks time to take instructions.

7. At his request, list this matter after two weeks.

(DR. B.R. SARANGI)
ACTING CHIEF JUSTICE

(M.S. RAMAN)
JUDGE

S.K. Guin/PA

