



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMP No. 573 of 2026

Ashok Kumar Mohanty

.....

Petitioner

Mr. Naresh Ch. Jena, Advocate

-versus-

Minati Mohanty

.....

Opposite Party

Mr. A. K. Apat,
Additional Government Advocate

CORAM:

HON'BLE MISS JUSTICE SAVITRI RATHO

ORDER

08.05.2026

Order No.

01.

(Through hybrid Mode)

1. This CRLMP has been filed challenging the order dated 04.07.2025 passed by the learned Judge, Family Court-I, Bhubaneswar in CRP No. 82 of 2024 directing the petitioner to pay an amount of Rs. 10,000/- per month to the Opposite Party towards interim maintenance till disposal of the main proceeding with effect from the date of application i.e. on 16.05.2024. The petitioner has been directed to pay the current/regular maintenance on or before the 10th of each succeeding calendar month.

2. Mr. Jena, learned counsel for the petitioner draws my attention to paragraph-4 of the impugned order, where it has been stated that the minor son of the Opposite Party is staying with her and studying in ODM Public school, which is not the case of the Opposite Party. In fact, in paragraph-3 of the order, it has been stated that the petitioner has stated in his objection that the Opposite Party and her son are not allowing him to stay in his house and he is paying Rs. 2,000/- per month to the Opposite Party through their son



and the son is a salaried employee and the Opposite Party is staying with him.

3. He further submits that since about 10 years, he had been sending Rs.2,000/- per month to their son through phonepe but after filing of the case as false allegations were made against him, he has stopped making such payment.

4. Issue notice to the Opposite Party by speed post with AD returnable within four weeks.

5. Requisites for which shall be filed by 12.05.2026.

6. List this matter on 02.07.2026 along with the postal tracking report.

I.A. No. 99 of 2026

7. This I.A has been filed for staying further proceeding on basis of the impugned order.

8. Mr. Jena, learned counsel for the petitioner submits that in the meanwhile, the Opposite Party has filed Criminal Execution Proceeding No. 16 of 2026.

9. Issue notice as above.

10. Accept one set of process fee.

11. Considering that the petitioner is the husband and perusal of the order reveals that the Opposite Party has studied only up to class 9, it is directed that on the petitioner depositing an amount of Rs.50,000/- within a period of two weeks in the learned Court below, further proceedings in Criminal Execution Proceeding No. 16



of 2026 shall remain stayed till the next date.

12. It is also directed that the petitioner shall pay monthly interim maintenance of Rs.6,000/- per month to the Opposite party during pendency of this CRLMP.

13. The amount deposited in the learned Court below, shall be released in favour of the Opposite Party.

(Savitri Ratho)
Judge

Subhalaxmi

Signature Not Verified

Digitally Signed
Signed by: SUBHALAXMI PRIYADARSHANI
SAHOO
Reason: Authentication
Location: Orissa High Court, Cuttack
Date: 08-May-2026 21:27:21

