



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.4305 of 2023

Dr. Pradeep Kumar Rath **Petitioner**

Mr. A.P. Bose, Advocate

-versus-

Susmita Mishra **Opp. Party**

CORAM:

JUSTICE SIBO SANKAR MISHRA

Order
No.

ORDER
29.08.2024

- 03.
1. Heard learned counsel for the petitioner.
 2. Despite so many efforts to serve the notice on the sole opposite party, service could not be completed.
 3. Mr. Bose, learned counsel for the petitioner submits that he would serve the notice on the sole opposite party through Special Messenger. He further submits that the proceeding pending before the learned Court below shall be stayed. He also submits that after the decree of divorce granted by the competent Court along with the permanent alimony of Rs.17.00 Lakhs, the opposite party is not entitled to any more maintenance. He further submits that pursuant to the decree of divorce, he has already deposited the permanent alimony on 10.02.2021. The opposite party has challenged the decree of divorce limiting her prayer



to the alimony part. Therefore, Mr. Bose submits that after having not challenged the decree of divorce, her right to receive the maintenance is ceased. In that view of the matter, he seeks an interim direction for staying of the proceeding.

4. Therefore, issue notice to the sole opposite party through Special Messenger, cost of which shall be assessed and deposit made within two days.

5. List this matter on 18th of September, 2024.

6. In the interim, it is directed that the further proceeding in Crl. Execution Case No.3 of 2022 pending in the Court of learned Judge, Family Court No.II, Bhubaneswar shall remain stayed till the next date of hearing. If appropriate steps are not taken by the petitioner to serve the respondent, on the next date of hearing the interim stay passed today shall be vacated.

(S.S. Mishra)
Judge

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Signature Not Verified

Digitally Signed
Signed by: AMIT KUMAR MOHANTY
Reason: Authentication
Location: HIGH COURT OF ORISSA, CUTTACK
Date: 02-Sep-2024 11:12:07

