

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<p><u>CRLR No. 254 of 2026</u> <u>Hon'ble Rakesh Thapliyal, J.</u></p> <ol style="list-style-type: none"> 1. Mr. Bhuwan Bhatt, learned counsel for the revisionist. 2. Mr. Mohd. Safdar, learned counsel for the respondent. 3. Pursuant to the previous order dated 15.04.2026 both the parties are present in court. While admitting the instant revision on 15.04.2025, learned counsel for the revisionist argued that the revisionist is not disputing the quantum of the amount towards interim maintenance as granted by the Family Court since he is focusing on restoration of his matrimonial life. On that day it was also pointed out that without any cause the respondent-wife is living separately though the revisionist filed a suit for restitution of conjugal rights and on a counter blast the respondent-wife moved an application for maintenance under section 125 of Cr.P.C. Since the learned counsel for the revisionist on the previous date submits that the revisionist still want to restore his matrimonial life, consequently, both the parties were directed to appear before the counsellor on the next date. 4. Today, now both are present and before sending them to the counsellor this court interact with each of them and the revisionist-husband submits that he still want to restore his matrimonial life for which he also filed a petition for restitution of conjugal rights. He also submits that the respondent-wife also filed a divorce petition, which is still pending for consideration. 5. This court interact with each of them and they apprise that they both were married on 16.01.2021 but due to some differences they are living separately since 2024. This court ask from the revisionist-husband whether he still want to live with the respondent-wife and he said yes and still want to restore his matrimonial life. Similar question was also asked from the respondent-wife but she strictly refused to live with the husband. 6. Now, taking into consideration that the

revisionist still want to live with the wife and that is the reason he filed a suit for restitution of conjugal rights and the fact that the respondent-wife strictly refuse to live with the husband and filed a divorce petition, this court is of the view that in such an eventuality, there is no possibility for their amicable settlement, since the wife is not intended to restore her matrimonial life.

7. The Family Court granted interim maintenance of Rs. 30,000/- per month, which is being assailed by the revisionist-husband in the instant revision and as it appears from the previous order the revisionist is not questioning the quantum of interim maintenance as granted by the Family Court since he is focusing to restore his matrimonial life and now this court comes to the conclusion that there is no possibility for their amicable settlement since the wife is so adamant, therefore, this court asks both the parties to submit their proposal for the amount towards the permanent alimony. The respondent-wife proposed Rs. 30 lakhs towards permanent alimony, however the husband initially proposes Rs. 7 to 8 lakhs but on further interaction he agreed for Rs. 13 lakhs towards permanent alimony provided the divorce petition filed by the respondent-wife be converted to be divorce petition by way of mutual consent. The respondent-wife also agreeable for the said amount of Rs. 13 lakhs towards permanent alimony.

8. Let both the parties may submit their proposal by way of an affidavit to get divorce by way of mutual consent as well as for the amount towards permanent alimony within a week so that the necessary order be passed on the next date.

9. List this matter on 12.05.2026.

(Rakesh Thapliyal, J.)

04.05.2026

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