

Court No. - 79

Case :- APPLICATION U/S 482 No. - 236 of 2024

Applicant :- Karan And 4 Others

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Pankaj Kumar Mishra

Counsel for Opposite Party :- Bhupendra Singh,G.A.,Monika Pal

Hon'ble Arun Kumar Singh Deshwal,J.

1. Heard Sri Pankaj Kumar Mishra, learned counsel for the applicants and Ms. Monika Pal, learned counsel for the opposite party no.2 as well as learned A.G.A. for the State-opposite party.

2. At the very outset, learned counsel both the parties jointly submitted that pursuant to the conciliation suggested by the Court, the parties had settled their dispute in which it was decided that an amount of Rs. 15.50 lacs as a permanent alimony will be given by the applicant no.1 to the opposite party no.2.

3. This Court vide order dated 14.03.2024 has also observed the said agreement took place between the parties and from the perusal of the order dated 14.03.2024, it also appears that the release of Rs. 15.50 lacs is subject to the divorce proceedings and closure of all criminal and civil cases pending between the parties against each other.

4. It is admitted that pursuant to the orders dated 14.03.2024 & 08.05.2024, the applicants deposited the amount of Rs. 15.50 lacs before the Registrar General of this Court and an application under Section 13-B of Hindu Marriage Act has been filed.

5. Learned counsel for the opposite party no.2 submitted that the amount so deposited, as per the permanent alimony before the Registrar General of this Court, may be released in her favour. It is further submitted that the release of the rest of entire amount will be subject to the decision of divorce petition, which has been filed jointly under Section 13-B of the Hindu Marriage Act.

6. Considering the aforesaid facts, the Registrar General of this Court is directed to release 60% of the amount deposited by the applicants before him in pursuance of the order dated 14.03.2024 and 02.05.2024 in favour of the opposite party no.2 and the remaining amount shall be kept in an interest bearing scheme of a Nationalized Bank till further order of this Court.

7. Considering the peculiar facts and circumstances of the case, the Family Court, Etawah is also directed to dispose of the application filed by the applicant no.1 and opposite party n.2 jointly under Section 13-B of Hindu Marriage Act expeditiously, preferably within a period of three months from the date of production of certified copy of this order.

8. Interim order, if any, granted earlier shall continue till next date of listing.

9. List in the week commencing 20.01.2025 along with the connected case.

Order Date :- 11.11.2024

Pravesh Mishra