

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).8651/2003

(From the judgement and order dated 25/07/2002 in CA No. 13/1998 of The
HIGH COURT OF ORISSA AT CUTTACK)

CHHABILA SETHI

Petitioner(s)

VERSUS

PRASANTA KUMAR SETHI

Respondent(s)

(With appln. for c/delay in filing SLP and prayer for interim relief and
office report) (For final disposal)

Date: 14/03/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE RUMA PAL

HON'BLE MR. JUSTICE C.K. THAKKER

For Petitioner(s)

Mr. Janaranjan Das,Adv.

Mr. Swetaketu Mishra, Adv.

Ms. Moushumi Gahlot, Adv.

Ms. S. Mohanty, Adv.

For Respondent(s)

Mr. Ashok Kumar Sharma,Adv.

UPON hearing counsel the Court made the following

O R D E R

The impugned order directed by way of permanent alimony (1) to deposit a sum of Rs.1 lakh, (2) the payment of Rs.1,000/- per month till the deposit of Rs.1 lakh was made and (3) the arrears at the rate of Rs.1,000/- from the date of the order dated 17th February, 1999 within a period of one month.

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We see no reason to interfere with this order. However, since the learned counsel appearing on behalf of the respondent, having been appointed as a counsel by the Legal Services Committee, has no instructions as to whether the third directive contained in the impugned order has been complied with or not, we direct that if it has not been so complied with, the respondent must do so positively within a period of eight weeks from date. The respondent shall also file an affidavit before the High Court in the pending proceedings putting on record the fact of payment of all arrears. In default of making such payment of arrears or filing such affidavit within the period of eight weeks as directed, the respondent shall be liable to pay a further sum of Rs. 1 lakh to the appellant in full and final settlement of the dispute.

The special leave petition is, accordingly, disposed of.

(Usha Bhardwaj)

P.S. To Registrar

(Madhu Saxena)

COURT MASTER