ITEM NO.59 COURT NO.2 SECTION IX

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).16200/2010

(From the judgement and order dated 12/03/2010 in FCA No. 68/2005 of The HIGH COURT OF BOMBAY)

SMT.NEETA @ NATHI HITENDRAKUMAR SAKARIYA Petitioner(s)

VERSUS

SHRI HITENDRAKUMAR KALURAM SAKARIYA Respondent(s)

(With appln(s) for exemption from filing c/c of the impugned Judgment and with prayer for interim relief)

Date: 24/05/2010 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE C.K. PRASAD
(VACATION BENCH)

For Petitioner(s) Mr. Ravindra Keshavrao Adsure,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R

This petition is directed against the judgment of the Division Bench of Bombay High Court which confirmed the decree of divorce passed by Principal Judge, Family Court, Mumbai.

Heard learned counsel for the petitioner and perused the record. In our view, the impugned judgment does not suffer from any legal infirmity insofar as it relates to confirmation of the decree of divorce passed in favour of the respondent but, at the same time, we are prima facie of the view that the respondent

should be directed to pay a lump sum amount to the petitioner by way of permanent alimony for herself and maintenance of the minor child.

Issue notice to the respondent limited to the issue of payment of permanent alimony, returnable in sixteen weeks.

Dasti, in addition, is permitted.

(Satish K. Yadav)
Court Master

(Phoolan Wati Arora)
Court Master