

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).24120/2008

(From the judgement and order dated 08/04/2008 in FCA No. 111/2007 of
The HIGH COURT OF BOMBAY)

RAMCHANDRA HARI PAWAR Petitioner(s)

VERSUS

VIMAL RAMCHANDRA PAWAR Respondent(s)

(With prayer for interim relief and office report)

WITH SLP(C) NO. 28165-28166 of 2009
(With office report)

Date: 26/07/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AFTAB ALAM
HON'BLE MR. JUSTICE R.M. LODHA

For Petitioner(s)

Mr. Ranjith K.C.,Adv.
Mr. Shivaji M. Jadhav,Adv.

For Respondent(s)

Mr. Rameshwar Prasad Goyal,Adv.

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

The Special Leave Petition is dismissed subject to a very slight
modification in the High Court order.

The High Court while holding the Petitioner/husband liable to pay
rupees three thousand (Rs.3,000.00) only per month to his wife by way
of maintenance, has directed the Commissioner of Police, Mumbai to
make the deduction from the Petitioner's pension. The Counsel for the
Respondent pointed out that for making the necessary deductions from

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the petitioner's pension the proper and competent authority is the
Accountant General based at Nagpur. We, accordingly, modify the High
Court's order to the extent that the Accountant General will make the
necessary deductions from the petitioner's pension so as the amount of
maintenance is duly paid to his wife. The other directions given by the
High Court may remain undisturbed.

SLP(C) 28165-66/09

The matter has been settled amicably between the two

sides. Resultantly, the special leave petitions are disposed of in the following agreed terms:

1. The Petitioner shall pay to the respondent a sum of rupees twenty lakhs (Rs.20,00,000.00) only in consideration of her vacating and giving up all her claims over the disputed property that bears the following description:

"B-3,/380, 3rd Floor, Rajyasarathi Jivdani Darshan Co-operative Housing Society Ltd. Arunodaya Nagar, Veer Savarkar Marg, Mulund(E), Mumbai-400 081."

2. The Petitioner shall make payment of rupees twenty lakhs (Rs.20,00,000) only in three monthly instalments of rupees seven lakhs (Rs.7,00,000.00), rupees seven lakhs(Rs.7,00,000.00) and rupees six lakhs (Rs.6,00,000.00). The first instalment shall be paid on September 1, 2010 and the last instalment on November 1, 2010.

3. On receipt of the aforesaid amount, the respondent shall vacate the premises in question not later than December 31, 2010.

4. The Respondent shall file an undertaking before this Court within three weeks from today stating that on receipt of the agreed amount she will vacate the premises by December 31,2010 and hand over its vacant possession to the petitioner; that she will not part with possession of the premises in favour of any third party rights in the property.

(Shivraj Kaur)
PS to Addl.Registrar

(R.K. Sharma)
Court Master