

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).24384/2009

(From the judgement and order dated 11/09/2009 in OA No. 29/AFT/09
of The Armed Forces Tribunal, Principal Bench)

TABASSUM PARVIN & ANR. Petitioner(s)

VERSUS

UNION OF INDIA & ORS. Respondent(s)

(With prayer for interim relief)

(FOR FINAL DISPOSAL)

Date: 07/01/2013 This Petition was called on for hearing
today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA
HON'BLE MR. JUSTICE ANIL R. DAVE

For Petitioner(s)

Mr. R.C. Kaushik,Adv.

For Respondent(s)

Ms. Indira Jaising, A.S.G.
Ms. Indra Sawhney, Adv.
Ms. Jhuman Singh, Adv.
Mrs Anil Katiyar,Adv.

Ms. V. Mohana ,Adv.

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

In the course of hearing Ms. V. Mohana, learned counsel for respondent No. 5, made a statement that respondent No. 5 shall pay a sum of Rs. 3,000/- (Rupees Three Thousand Only) every month to Shri Md. Safiul Bari for the maintenance of the two children, namely, Tabassum Parvin and Iftasam Heena (daughters of respondent No. 5) from the month of January 2013 and every month thereafter.

We accept the statement made on behalf of respondent No. 5 and direct that the amount of Rs. 3,000/- (Rupees Three Thousand Only) for the month of January 2013 shall be sent to Shri Md. Safiul Bari at his residential address by Banker's Cheque/Pay Order/Demand Draft so as to reach him positively by January 15, 2013 and for subsequent months in the same manner on or before 15th day of each month.

Learned counsel for respondent No. 5 further submits that, if there is any default in the payment by respondent No. 5 as directed above, the Court may permit the authorities - respondent Nos. 1 to 4 - to deduct that amount from the pension of respondent No. 5 and pay to Shri Md. Safiul Bari towards maintenance of these two children.

The statement made by Ms. V. Mohana, learned counsel for respondent No. 5, is fair and reasonable and we accept the same.

It is clarified that the payments so made by the respondent No. 5 shall be adjusted against the payment ordered in the proceedings under Section 125 of the Code of Criminal Procedure.

Special leave petition stands disposed of as above. No

costs.

|(Rajesh Dham)
|Court Master

| |(Renu Diwan)
| |Court Master

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