

ITEM NO.23

COURT NO.12

SECTION XIV

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 (C) No(s). 6713/2017

[Arising out of impugned final judgment and order dated 17-08-2016 in MA No. 31/2014 passed by the High Court of Delhi at New Delhi]

SMT.PARVEEN

Petitioner(s)

VERSUS

HUKUM SINGH

Respondent(s)

IA No. 80261/2022 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 21779/2020 - CLARIFICATION/DIRECTION
IA No. 37850/2018 - EXEMPTION FROM FILING O.T.
IA No. 43916/2022 - INTERVENTION APPLICATION

WITH

CONMT.PET.(C) No. 510/2019 in SLP(C) No. 6713/2017 (XIV)

Date : 22-07-2025 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PANKAJ MITHAL
HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Petitioner(s) : Mr. Prem Prakash, AOR

Mr. M.P. Srivignesh, Adv.
Mr. Lakshman Raja. T, Adv.
Mr. Sharavena Raghul Asr, Adv.
Mr. Mithun Kumar N, Adv.
Mr. Manu Srinath, AOR

For Respondent(s) Mr. Gautam Das, AOR
Mr. Tarun Kant Samantaray, Adv.
Mr. Siddhartha, Adv.
Ms. Vandana Miglani Bebarta, Adv.
Ms. Smita Samantaray, Adv.
Mr. P.k.dash, Adv.
Mr. Abanikanta Sahu, Adv.
Mr. R.k.padhi, Adv.

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

1. Heard learned counsel for the parties.

2. The Special Leave Petition arises from a matrimonial dispute wherein a decree of divorce has been passed in favour of the respondent-husband but no alimony had been fixed. Therefore, the only issue in this Special Leave Petition is regarding the alimony admissible to the petitioner wife.

3. Learned counsel for the respondent-husband had earlier offered a sum of Rs. 50,00,000/- as permanent alimony to the petitioner-wife and Rs. 25,00,000/- each for the marriage of two daughters provided he is permitted to sell the house which belongs to him and in which the petitioner-wife is living with the daughters.

4. Admittedly there are three daughters from the marriage. One of the daughter has completed her education and has been married. The Respondent-husband in the said marriage had contributed only a sum of Rs. 5,00,000/-. The second daughter has completed her education and probably is working independently.

5. The third daughter is pursuing her medical course, which is a five year course and presently she is in her third year. The respondent-husband is ready and willing to take responsibility of her education till she completes here medical course.

6. The above offer made by the respondent-husband is not acceptable to the petitioner-wife in entirety and on her behalf it is submitted that she does not want to vacate the house in which she is living and that atleast the house should be left with her and the responsibility of the education and marriage be taken over by the respondent-husband.

7. The respondent-husband who has retired form the service and is having his own family is unable to meet such demands but is ready

and willing to relinquish the house in favour of the petitioner-wife and daughters.

8. In the entirety of the facts and circumstances of the case, we consider it appropriate in exercise of powers under Article 142 of the Constitution of India and settle the matter between the parties finally by directing the respondent-husband to relinquish the house in question bearing flat no. 175, DDA SFS Flats, Sector-1, Pocket-1, Dwarka, South West District, Delhi - 110075 in favour of the petitioner-wife and her three daughters. The relinquishment deed or a Transfer deed in their favour shall be executed by the respondent-husband within a period of two months and all the necessary expenses in this regard shall be borne by the respondent-husband.

9. In addition to the above, the respondent-husband shall pay a further lump sum amount of Rs. 15,00,000/- for the marriage of the two daughters and the education of the third daughter. This will be the full and final settlement of all the claims of the petitioner-wife and the daughters.

10. The aforesaid amount shall be paid by the respondent-husband in three installments of Rs. 5,00,000/- each. First installment of Rs. 5,00,000/- shall be paid within a period of three months from today. Second installment of Rs. 5,00,000/- shall be payable within a further period of three months and the third installment of Rs. 5,00,000/- shall be paid within next three months.

11. In the event of default of any of the conditions, it will be open for the parties to revert to the Court for necessary directions.

12. The Special Leave Petition stands disposed of.

13. Pending applications, if any, shall stand disposed of.

(KANCHAN CHOUHAN)
SENIOR PERSONAL ASSISTANT

(NIDHI MATHUR)
COURT MASTER (NSH)