

(2023) 05 OHC CK 0241
In the Orissa High Court
Case No : MATA No. 83 Of 2014

Indira Dash @ Mohapatra

APPELLANT

Vs

Sushanta Kumar Mohapatra

RESPONDENT

Date of Decision : 17-05-2023

Acts Referred:

Citation : (2023) 05 OHC CK 0241

Hon'ble Judges : S. Talapatra J;Savitri Ratho, J

Bench : Division Bench

Advocate : S.K. Baral, S. Mahakud, S.R. Patnaik

Final Decision : Disposed Of

Judgement

1. This matter is taken up through hybrid mode.
2. Let this appeal be listed for final disposal on 28.06.2023.
3. As there is no challenged against the decree of divorce, the issued point in the appeal relevant for appreciation is the amount is reasonable as the permanent alimony.
4. By the judgment and order dated 16.05.2014 delivered in Civil Proceeding No. 589 of 2010, the Judge, Family Court, Berhampur has settled a sum of Rs.7,00,000/- as the permanent alimony for the Respondent and Rs.3,00,000/- as the financial support to the son, who is living with the Appellant. The said amount has been deposited in this Court by the Multi-City Account payee Cheque No. 728542 drawn on Account No. 11305050342 of the State Bank of India, Nawapara Branch. The said cheque has been drawn in the name of the Appellant for a sum of Rs.7,00,000/- and another cheque being Cheque No. 728543 has drawn on the same account in favour of the son, Sri Soumya Darsan Mohapatra, for a sum of Rs.3,00,000/-. The Appellant and her son, Soumya Darsan Mohapatra are allowed to receive the cheque from the Registry on proper identification.

5. Registry shall make all arrangements by fixing the date and time, so that the Appellant and her son may come and receive the cheques. It may be noted that the date and time be fixed considering that the Appellant is suffering from Carcinoma and she is critical ill. This order is passed without any prejudice to the contention of the Appellant as raised in the appeal.

6. In the event the Appellant is unable to come to the Registry, the Appellant may authorize her son namely Soumya Darsan Mohapatra by a letter of authorization authenticated by a Notary Public or a Class I Gazetted Officer. The Registry shall accept the said authorization.

7. A copy of this order be supplied to Mr. S.K. Baral, learned counsel appearing for the Appellant in the course of the day.

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