
(2016) 02 SC CK 0100

In the Supreme Court Of India

Case No : Civil Appeal Nos. 713-714 of 2016 (Arising out of Special Leave
Petition (C) Nos. 5516-5517 of 2015)

Mukul Sarma

APPELLANT

Vs

Sabita Chakraborty

RESPONDENT

Date of Decision : 01-02-2016

Acts Referred:

Citation : (2016) AllSCR 1646 : (2016) 3 CalLT 65 : (2016) 121 CutLT 821 :
(2016) 1 DMC 670 : (2016) 2 HLR 476 : (2016) 2 JT 490

Hon'ble Judges : Kurian Joseph and Rohinton Fali Nariman, JJ.

Bench : Division Bench

Advocate : Arunabh Chowdhury, Vaibhav Tomar, Pranjal K. Sarma and Anupam Lal Das, Advocates, for the Appellant; Sangeeta Kumar, Vithika Garg and Vidushi Garg, Advocates, for the Respondent

Final Decision : Disposed Of

Judgement

Kurian Joseph, J.—1. Leave granted.

2. The Appellant approached this Court with certain grievances regarding permanent alimony to be paid to the Respondent. The High Court has directed payment of Rs. 7,00,000/- for the Respondent and Rs. 3,00,000/- for the child born to the Appellant and the Respondent.

3. On service of notice on the Respondent, through a Legal Aid counsel, the Respondent has informed this Court that she is not in a position to go over to Delhi because of certain family circumstances.

4. Having heard the learned Counsel for the Appellant, we are of the view that no interference is called for as regards the amount of alimony fixed by the High Court. However, having regard to the difficulties personally faced by the Appellant, it would be appropriate that the Appellant is granted more time for the payment of the amount. Therefore, the payment of alimony, as directed by the High Court, is rescheduled as under:

i) The amount of Rs. 3,00,000/- payable to the daughter shall be paid within a period of one month from today. In case, any amount has been deposited in the Family Court, the same can be duly adjusted.

ii) As far as the amount of Rs. 7,00,000/- payable to the Respondent is concerned, the Appellant is permitted to pay Rs. 1,00,000/- on or before 31.05.2016. Thereafter, the Appellant shall pay the amount in six monthly installments of Rs. 1,00,000/- each by the end of each calendar month and the whole payment shall be paid to the Respondent by the end of November, 2016.

5. We make it clear that if there is any consecutive default in making the payment, as above, apart from the steps to be taken for execution, the Appellant shall also be liable to answer in contempt.

6. With the above directions, the civil appeals are disposed of with no order as to costs.