

ITEM NO.51

COURT NO.4

SECTION XVI

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

PETITION(S) FOR SPECIAL LEAVE TO APPEAL (C) NO(S). 18658/2016
(ARISING OUT OF IMPUGNED FINAL JUDGMENT AND ORDER DATED 17/03/2016
IN CO NO. 4403/2015 IN MODIFIED ORDER DATED 18/04/2016 IN CAN NO.
3495/2016 IN CO NO. 4403/2015 PASSED BY THE HIGH COURT OF CALCUTTA)

DESH BANDHU ROY

PETITIONER(S)

VERSUS

ANUSUYA ALIAS JHUMA ROY

RESPONDENT(S)

(WITH APPLN. (S) FOR DIRECTIONS AND INTERIM RELIEF AND OFFICE
REPORT)

WITH

SLP(C) NO. 30082/2016

(WITH WITH APPLN. (S) FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT AND INTERIM RELIEF AND OFFICE REPORT)

Date : 10/04/2017 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI

HON'BLE MR. JUSTICE NAVIN SINHA

For Petitioner(s)

Mr. Pradeep Aggarwal, Adv.
Mr. Lal Pratap Singh, Adv.
Mr. Ram Niwas, Adv.
Mr. Umesh Pratap Singh, Adv.
Mr. Brijesh Singh, Adv.
Ms. Ruchi Kohli, Adv.

For Respondent(s)

Mr. Debajyoti Deb, Adv.
Mr. Subhasish Bhowmick, Adv.
Ms. Goldy Goyal, Adv.
Mr. A. Biswas, Adv.
Mr. A.K. Mishra, Adv.

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

Leave granted.

The appeals are disposed of in terms of the signed order. Consequently, all pending applications therein are also disposed of.

[VINOD LAKHINA]
COURT MASTER

[ASHA SONI]
COURT MASTER

[SIGNED ORDER IS PLACED ON THE FILE]

the net income of the appellant for the months of January, February and March, 2017 is Rs.59,279/-, Rs.59,280/- and Rs.64,829/- respectively. The appellant is a Wing Commander in the Indian Air Force. He has his aged parents to support. The respondent - wife is unemployed and the son has appeared in Class-X examination of the Central Board of Secondary Education.

4. Taking into account all the above facts and the take home pay of the appellant - husband, we are of the view that the maintenance amount should be reduced from Rs.40,000/- to Rs.30,000/- (i.e. Rs.15,000/- for the respondent - wife and Rs.15,000/- for the dependent son). We order accordingly. The arrears, if any, be paid in four equal installments over a period of eight months at the rate of maintenance awarded by the present order.

5. With the aforesaid modification of the order of the High Court and the learned trial Court both the appeals shall stand disposed of.

.....,J.
(RANJAN GOGOI)

.....,J.
(NAVIN SINHA)

NEW DELHI
APRIL 10, 2017