

High Court of Sikkim

Record of proceedings

**RP(FAM CT) No.01 of 2018**

Karambir Mahato

**Petitioner**

*VERSUS*

Kiran Devi

**Respondent**

**Date : 01-05-2019**

**CORAM : THE HON'BLE MRS. JUSTICE MEENAKSHI MADAN RAI , JUDGE**

**For Petitioner** Mr. B. K. Gupta, Advocate.

**For Respondent** Mr. N. Rai, Senior Advocate.  
Ms. Malati Sharma, Advocate.  
Ms. Sudha Sewa, Advocate.

**ORDER**

The matter was taken *in camera* in the presence of the parties and their Learned Counsel. The discussions have taken place in the Nepali vernacular and both parties have also individually made submissions with regard to the instant matter.

The final conclusion arrived at by both the parties is that the Petitioner shall pay a sum of Rs.8,000/- (Rupees eight thousand) only, per month, to the Respondent, with effect from today, i.e., 01-05-2019, as against a sum of Rs.10,000/- (Rupees ten thousand) only, per month granted by the Learned Family Court in the impugned Order. The said amount shall be paid by the Petitioner to the Respondent between 1<sup>st</sup> and 7<sup>th</sup> day of every month.

It is submitted by Learned Senior Counsel for the Respondent that arrears of maintenance have accrued in view of the fact that the impugned Order of the Learned Judge, Family Court, East Sikkim, at Gangtok, in Family Court (Criminal) Case No. 28 of 2017, is dated 04-04-2018 and the instant Revision was filed on 22-06-2018.

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*Per contra*, it is submitted by Learned Counsel for the Petitioner that a sum of Rs.25,000/- (Rupees twenty five thousand) only, has been paid by the Petitioner to the Respondent after pronouncement of the impugned Order.

In the circumstances, let the Petitioner pay arrears of maintenance allowance from the date of impugned Order of the Learned Family Court, on 04-04-2018, @ Rs. 8,000/- (Rupees eight thousand) only, per month, as agreed by the parties, duly deducting Rs. 25,000/- (Rupees twenty five thousand), only, already paid to the Respondent.

The arrears shall be paid every month @ Rs.5,000/- (Rupees five thousand) only, making a total sum of Rs.13,000/- (Rupees thirteen thousand) only, payable per month, by the Petitioner to the Respondent till completion of payment of arrears.

The Petitioner shall thereafter continue to pay a sum of Rs.8,000/- (Rupees eight thousand) only, per month, to the Respondent.

RP(FAM CT) No.01 of 2018 stands disposed of accordingly.

**Judge**

01-05-2019

Index : ~~Yes~~/No

Internet : Yes/~~No~~

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