

ITEM NO.32

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). 16051/2017

(Arising out of impugned final judgment and order dated 27-05-2016 in MATAP No. 57/2009 passed by the High Court Of Delhi At New Delhi)

KUSUM BHATIA

Petitioner(s)

VERSUS

SAGAR SETHI

Respondent(s)

(IA No. 129828/2017 - EXEMPTION FROM FILING O.T. IA No. 129811/2017 - I A FOR SUBSEQUENT EVENTS IA No. 129827/2017 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 16-09-2019 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR  
HON'BLE MR. JUSTICE SANJIV KHANNA

For Petitioner(s) Mr. Rakesh Kumar Khanna, Sr. Adv.  
Mr. Rajeev Saxena, Adv.  
Ms. Shefali Jain, Adv.  
Ms. Ramya Khanna, Adv.  
Ms. Vaishali Gupta, Adv.  
Mr. Yusuf, AOR

For Respondent(s) Mr. Rajesh Goyal, AOR  
Mr. Inderdeep, Adv.  
Mr. Kapil A., Adv.

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

Having heard learned counsel for both the sides on merits, we do not find any ground to interfere in the impugned order. In our considered opinion, the interest of justice would be met if the child, Kumari Preksha (aged about 16 years as of now) is awarded maintenance. Since, the petitioner is a working lady with sufficient salary, we decline to award any maintenance in her

favour.

Learned counsel for the respondent, on instructions, submits that he is ready to deposit a sum of Rs.30,00,000/- (Rupees thirty lac only) towards maintenance of the child, namely, Kumari Preksha. However, the Court suggested that an amount of Rs.15,00,000/- needs to be deposited by the respondent towards marriage and other expenses of the child. Learned counsel for the respondent, however, submits that it would be very difficult for him to pay such amount of Rs.15,00,000/- (Rupees fifteen lac only).

Be that as it may. Having regard to the totality of the facts and circumstances of the case, we deem it appropriate to pass the following order :-

(1) The special leave petition stands dismissed. However, the daughter of the parties, namely Kumari Preksha, is entitled to maintenance of Rs.30,00,000/- (Rupees thirty lac only). The amount of Rs.30,00,000/- (Rupees thirty lac only) be deposited within eight weeks from today.

(2) The respondent, Sagar Sethi, the father of the child shall pay a sum of Rs.10,00,000/- (Rupees ten lac only) towards marriage and other expenses of the child. Out of the said amount, a sum of Rs.5,00,000/- (Rupees five lac only) shall be paid by him to the child directly by way of demand draft within two years from today. The remaining amount of Rs.5,00,000/- (Rupees five lac only) shall be paid by him within four years from today.

(3) We direct the petitioner to keep the entire amount received by way of maintenance in favour of Kumari Preksha child in fixed deposit for four years. It is open for the petitioner to use the interest portion towards maintenance and other expenses of the child.

(4) All the litigations between the parties including FIR No.49/2007 lodged at Police Station, Vikas Puri stand quashed in view of this order.

(GULSHAN KUMAR ARORA)  
COURT MASTER

(R.S. NARAYANAN)  
COURT MASTER