

RPFAM No.94 of 2014

20.01.2017 Learned counsels for both the parties are present in Court today.

It is stated by the learned counsel for the petitioner that since the petitioner is a blood cancer patient and he is going to Mumbai for health check-up on 02.02.2017 and some more time may be granted for depositing the sum of Rs. 1,00,000/-(rupees one lakh) as per the order dated 18.10.2016.

Learned counsel for the opposite party submitted that the draft of sum of Rs. 50,000/-(rupees fifty thousand) which has been deposited by the petitioner before the learned Judge, Family Court, Cuttack in Criminal Proceeding (Execution) No. 357 of 2014 has not been taken by the opposite party on the ground that the draft period has lapsed and the petitioner may be directed to take back the same and file a fresh draft of Rs. 50,000/-(rupees fifty thousand).

Learned counsel for the petitioner has no objection.

In view of such submission made by the learned counsels for both the parties, it is directed that the petitioner may be permitted to take back

the draft and his appearance before the learned Judge, Family Court, Cuttack on 25th January, 2017. The validated draft of Rs. 50,000/-(rupees fifty thousand only) shall be submitted before the concerned Court on 27th January, 2017. In the event of such re deposit of fresh draft, the same shall be immediately given to the opposite party on proper application. So far as the amount of Rs.1,00,000/-(rupees one lakh) is concerned the petitioner shall deposit a sum of Rs. 20,000/- before the learned Judge, Family Court, Cuttack on 27th January, 2017. So far as the balance amount of Rs. 80,000/-(Rupees eighty thousand) is concerned, the same shall be paid by the petitioner in two equal monthly installments one by the end of February, 2017 and the other by March, 2017.

List this matter in the week commencing from 30th January, 2017. On that day the learned counsel for the petitioner shall file a document relating to deposit of a validated draft of Rs.50,000/-(rupees fifty thousand only) before the learned Judge, Family Court, Cuttack.

S.K.Sahoo, J.