

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

D.B. Civil Review No. 75/2018

Dr. Purshottam Mahawar S/o Shri Panna Lal, by caste Mahawar Koli, resident of Kewshavpura, Sector-7, House No.434, Kota.

----Review-Petitioner
(Respondent in the CMA No.5052/2009)

Versus

Chitra Rani W/o of Dr. Purshottam Mahawar, by caste Mahawar Koli, resident of Plot No.22, Gali No.5, Sanjay Nagar, Chambal Marg, Kota Junction, District Kota.

----Appellant-Respondent

For Petitioner(s) : Mr. Tanveer Ahamad

For Respondent(s) : -

**HON'BLE MR. JUSTICE MUNISHWAR NATH BHANDARI
HON'BLE MR. JUSTICE DINESH CHANDRA SOMANI**

Order

31/07/2018

This review petition has been filed against the order dated 03.05.2018. The order aforesaid was passed on the agreement between the parties. A sum of Rs.21 lakh was awarded to the wife towards permanent alimony. The review is sought in regard to the period of its payment. The period of three months is too short thus may be enhanced. The other ground of review is in reference to liberty to seek execution of the order passed under Section 125 Cr.P.C. It is submitted that if permanent alimony has been given, a direction to seek adjudication of the order under Section 125 Cr.P.C. should not have been given.

We have considered both the issues. We find that on the agreement between the parties, a sum of Rs.21 lakh was provided

towards permanent alimony. The period of three months was given for payment in two installments. In case of default, liberty was given to file contempt petition which has not been filed despite the fact that not a single penny has been paid by the applicant, as stated.

The other issue is in reference to Section 125 Cr.P.C. The order sought to be reviewed provides that "if any order has been under Section 125 Cr.P.C. for maintenance" then appellant was given liberty to seek adjudication. The review petitioner clearly has not referred or placed on record any order under Section 125 Cr.P.C. so as to raise second argument.

In view of the above, we do not find any issue for review as no mistake or error apparent on the face of the record has been committed by the Court. The review petition is, accordingly, dismissed.

(DINESH CHANDRA SOMANI),J

(M.N.BHANDARI),J

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