

SUREME COURT OF INDIA

A. Raveendrababu

Vs.

Devaki Vijayamma

(A Varadarajan and V.D. Tulzapurkar JJ.)

09.11.1982

ORDER

In view of the admitted fact that the 1st respondent has remarried on 17th January, 1981, it is unnecessary for us to decide the interesting questions of law that have been raised in this appeal. Under the Original Order in M.C. 71/74 the "1st respondent is entitled to get maintenance for herself @ Rs. 50/- per month which in view of the remarriage would be payable only Upto 17th January, 1981 and nothing thereafter. Her maintenance upto that date will have to be paid at the said rate subject to credit being given for all the amounts that have been paid in between by the appellant to the 1st respondent and subject to further credit being given for Rs. 2,000/-, an amount which is lying in civil court which the 1st respondent is given liberty to withdraw forthwith. Any balance, after credit is given as aforesaid must be paid by the appellant to the 1st respondent. As regards the child's maintenance @ Rs. 30/- per month the same will be continued to be paid by the appellant so long as the child's custody remains with the 1st respondent. This will dispose of the appeal, There will be no order as to costs.