

**D.V. No. 1/19**

26/03/21:

Aggrieved party is present and vide petition no. 466 has stated that as per order dtd. 24.6.19, the aggrieved party is entitled to receive an amount of Rs. 1,37,500/- from the respondent. Hence, prays to pass appropriate order from the court.

Respondent is absent without step.

I have perused the CR. Perusal of the CR transpires that on 24.6.19 an ex-parte judgment was pronounced by this court directing the respondents to prohibit from committing any further acts of domestic violence upon the aggrieved. Respondent no. 1 was directed to secure an alternate residence for the aggrieved and his son Makibul Haque or pay Rs. 1500/- as rent allowance towards the aggrieved and the son. Respondents were restrained from alienating any property of the aggrieved person remaining in the house of the respondents. The respondent are directed to pay Rs. 5000/- as monetary relief to the aggrieved person for having suffered pain and for medical expenses. Respondent no. 1 was directed to pay maintenance of Rs. 3000/- each per month for aggrieved and her son. Respondents were also directed to pay the compensation of Rs. 10,000/- to the aggrieved. The same shall be paid in installments of Rs. 2000/- per month if aggrieved agrees the same.

However, on 27.2.20 respondents appeared and prayed to vacate the ex-parte order showing ground and this court passed an order to vacate ex-parte order subject to payment of cost of Rs. 800/- payable to the aggrieved side and the matter has been fixed for filing W/S. Thereafter on subsequent date due to Corona virus matter has been adjourned. After resumption of physical court, the matter again was taken on 8.1.21. On that day respondent was absent without step and again it is fixed for necessary order. Today

also respondent is absent without step which indicates respondent being aware of the facts of this case is not contesting the same. Since ex-parte order has been vacated on 27.2.20 subject to payment of Rs. 800/- and aggrieved party has submitted that the cost is not paid yet, hence ex-parte order is not vacated yet.

Fix 29.4.21 for payment/n.o.