

Parsis live long, reconsider alimony amount: HC tells man seeking divorce

Couple was married for 40 years; husband offered Rs 35 lakh, but wife is demanding Rs 1.35 crore; court says the 74-year-old woman might live for another 15-20 years

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It will be the end of 40 years of marriage for a Parsi couple on Thursday, when the Bombay High Court will pass an order granting a decree of divorce to them. The court adjourned the hearing after the husband informed that he is ready to pay Rs 35 lakhs as final alimony, along with the part of a flat at Byculla, where the couple has been living. He also agreed to provide his wife mediclaim. However, the wife has not agreed to the amount offered. She has now claimed alimony of Rs 1.30 crores.

Justice Dr D Y Chandrachud, while

hearing the arguments suggested to the husband that as the Parsi community generally enjoys very high longevity, he should consider that the wife may live for at least 15-20 more years, and he should consider the amount of alimony on these grounds. "Let her have a lump sum. She cannot be made to run after money in the time of emergency. She needs to live with dignity," Justice Chandrachud remarked.

The court was hearing a divorce petition moved by a Parsi woman saying she is 74-years-old and can no longer put up with the same physical and mental harassment to which she has been subjected to, for over four

decades. Interestingly, when the wife first filed for divorce in 2007, she had sought alimony of Rs 45 lakhs.

The husband told the court that even he has lived a traumatised life for 40 years. "She has been telling everybody that she has been suffering for 40 years, but does anyone know what I have been through?" he said.

Vivek Kantawala, counsel for the husband told the court that his client is ready to pay permanent alimony, 'so that he can live peacefully.'

The wife, in her petition filed in 2007, has also claimed that after they got married in March 1967, they used to live within a joint fam-

ily at Grant Road, with her husband's mother and brothers. "I had to bathe my mother-in-law, clean utensils and also had to leave my job. As the place was too small, my husband bought the flats at Byculla, where we are presently residing," her petition adds.

Two flats were combined to make one large flat.

Alleging that although her husband has retired, he still earns a monthly pension of Rs 50,000 and has investments and properties worth Rs 7 crores, the wife had revised the amount of alimony she sought to Rs 2 crores in February this year.