

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.HARILAL

WEDNESDAY, THE 3RD DAY OF JUNE 2015/13TH JYAISHTA, 1937

RPFC.No. 172 of 2015 ()

C.M.P 316/2014 IN MC 178/2014 of FAMILY COURT,
THIRUVANANTHAPURAM

REVISION PETITIONER(S)/RESPONDENTS :

JACOB STEPHEN
S/O STEPHEN, MESTHIRIPARAMBIL, PULLIKKANAM KARA
PULLIKKANAM P.O., IDUKKI DISTRICT.

BY ADV. SRI.M.V.RAJENDRAN NAIR

RESPONDENT(S)/PETITIONERS:

1. SINDHU
W/O JACOB STEPHAN, KARIMPANAVILA VEEDU
AYINKAMAM DESAM, PARASSALA P.O.
THIRUVANANTHAPURAM DISTRICT, PIN:695 502.

2. ASWIN
S/O JACOB STEPHAN, (MINOR), KARIMPANAVILA VEEDU
AYINKAMAM DESAM, PARASSALA P.O.
THIRUVANANTHAPURAM DISTRICT
PIN:695502. (REPRESENTED BY THE 1ST RESPONDENT)

THIS REV.PETITION(FAMILY COURT) HAVING COME UP FOR
ADMISSION ON 03-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

stu

K.HARILAL, J.

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R.P.(FC) No.172 of 2015

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Dated this the 3rd day of June, 2015

ORDER

The revision petitioner is the husband of the 1st respondent and father of the 2nd respondent. He is the counter petitioner in C.M.P.No.316/2014 in M.C.No.178/2014 on the files of the Family Court, Thiruvananthapuram. The above C.M.P was filed by the respondents herein, seeking an interim order granting interim maintenance. The revision petitioner filed an objection against the claim raised in the above C.M.P. After considering the rival pleas, the court below directed the revision petitioner to pay maintenance allowance @₹2,500/- to the 1st respondent and ₹1,500/- to the 2nd respondent from the date of application as interim maintenance allowance. This order is under challenge in this revision petition.

2. Heard the learned counsel for the petitioner.

3. Going by the impugned order, it is seen that marital status of the 1st respondent as wife and the paternity of the 2nd respondent is not disputed. The petitioner has no case that he is unhealthy or physically disabled to do work so as to earn for the livelihood of his family.

4. In the above view of the matter, I do not find any kind of illegality or impropriety in the order directing the revision petitioner to pay interim maintenance allowance @ ₹2,500/- to the 1st respondent and ₹1,500/- to the 2nd respondent.

5. The learned counsel for the petitioner urged for an order permitting him to pay the arrear in instalments. Having regard to the facts and circumstances of the case, the revision petitioner is given two months' time to pay the entire arrear, provided that, the revision petitioner shall pay half of the entire arrear within a period of one month from today and the remaining balance shall be paid within the

next one month. In the event of failure to pay the first instalment within the specified time, this facility will stand cancelled automatically and the Family Court will be free to enforce the realisation of entire arrear in lump sum in accordance with law.

This revision petition is dismissed.

Sd/-
K.HARILAL,
JUDGE.

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P.Ato Judge