

THE HON'BLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.1129 OF 2015

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ORDER:

This Criminal Revision Case is filed against order, dated 29.04.2015, passed in CrI.M.P.No.1006 of 2015 in M.C. No.6 of 2015 of by the Special Mobile Judicial Magistrate of First Class, Kakinada, East Godavari District, whereby the learned Magistrate granted interim maintenance of Rs.5,000/- to the 1st respondent.

The brief facts of the case are that the petitioner is the husband of the 1st respondent. Their marriage took place on 21.06.2014. They lived happily for some time and thereafter, due to some differences, the 1st respondent left the company of the petitioner. The 1st respondent filed M.C. No.6 of 2015 before the Special Mobile Judicial Magistrate of First class, Kakinada, seeking to grant pf maintenance at Rs.25,000/- p.m. She also filed CrI.M.P. No.1006 of 2015 for grant of interim maintenance at Rs.25,000/-p.m., during the pendency of the maintenance case. The learned Magistrate partly allowed the said application and granted Rs.5,000/- p.m., as interim maintenance to the 1st respondent. Challenging the same, the present revision case is filed by the petitioner – husband.

Heard and perused the material available on record.

Learned counsel for the petitioner submitted that the order passed by the Court below is illegal and improper and the Court below did not consider the fact that the 1st respondent is also earning and hence, he prayed for setting aside the order of the Court below.

Having considered the facts and circumstances of the case, this Court is of the view that the interim maintenance granted by the Court

below can be reduced.

In the circumstances, the Criminal Revision Case is disposed of with the following directions:

- i. The petitioner is directed to pay Rs.2,500/- per month to the 1st respondent as interim maintenance, till the disposal of M.C. No.6 of 2015.
- ii. The petitioner is further directed to pay the arrears of the maintenance amount in three equal monthly installments.
- iii. The learned Special Mobile Judicial Magistrate of First Class, Kakinada, East Godavari District, is directed to dispose of M.C. No.6 of 2015 as expeditiously as possible, preferably within a period of three (3) months from today.

The Miscellaneous petitions, pending if any, shall stand closed.

RAJA ELANGO, J

June 26, 2015.
KTL