

THE HONOURABLE SRI JUSTICE RAJA ELANGO

Crl.R.C.No.2804 of 2015

ORDER

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The present criminal revision case is directed against the judgment dated 18.08.2015 passed in Crl.A.No.669 of 2013 by the learned V Additional Metropolitan Sessions Judge (Mahila Court), Hyderabad.

2. Heard and perused the material on record.

3. During the pendency of D.V.C.No.317 of 2012, the second respondent being the wife of the petitioner herein filed Crl.M.P.No.1042 of 2012 claiming interim maintenance of Rs.35,000/- from her husband. By order dated 06.07.2013, the trial Court after considering the material on record awarded a sum of Rs.1,500/- per month towards interim maintenance to the wife. Aggrieved by the same, the wife filed Crl.A.No.669 of 2013 and the same was partly allowed enhancing the interim monthly maintenance from Rs.1,500/- to Rs.5,000/-per month. Challenging the same, the petitioner/husband filed the present revision.

4. The relationship between the parties is not in dispute. The lower appellate Court, after taking the various circumstances into consideration, granted the said interim maintenance to the second respondent/wife. Admittedly, DVC is pending and the order impugned is an interim in nature. Therefore, without expressing any opinion on merits of the matter, the trial Court is directed to dispose of D.V.C.No.317 of 2012 within a period of three months from the date of receipt of a copy of this order. Till such time, the petitioner is directed to pay a sum of Rs.3,000/- per month to the second respondent towards interim maintenance on or before 10th of every succeeding month. The petitioner is further directed to pay the arrears, if any, to the second respondent calculating at the rate fixed by this Court in three equal monthly installments commencing from the month of December, 2015. The payments, if any made, have to be

adjusted accordingly. The trial Court shall dispose of the said D.V.C. on merits without being influenced by the observations made by the lower appellate Court as well as this Court.

5. With the above said modification of the impugned order, the Criminal Revision Case is disposed of. Miscellaneous petitions, if any, pending in this revision shall stand closed.

JUSTICE RAJA ELANGO

19th November, 2015

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