

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.588 OF 2015

ORDER:

1. This Criminal Revision Case is filed by the petitioner-complainant challenging the judgment dated 20.6.2013 passed in CrI.A.No.248 of 2012 by the Additional Metropolitan Sessions Judge, Cyberabad, NTR Nagar, Hyderabad modifying the order dated 3.1.2012 passed in CrI.M.P.No.68 of 2012 in DVC No.1 of 2012 by the IX Metropolitan Magistrate, Cyberabad at Miyapur.

2. The petitioner filed the above DVC against the respondent. During the pendency of DVC, she filed the above CrI.M.P.No.68 of 2012 seeking to grant monthly monetary relief by way of directing the 1st respondent to pay a sum of Rs.20,000/- to the petitioner and her son. The learned Magistrate allowed the said CrI.M.P. directing the 1st respondent to pay an amount of Rs.8,000/- p.m., towards monthly monetary relief to the petitioner and her child. Aggrieved by the same, the 1st respondent filed the above CrI.A.No.248 of 2012 before the Additional Metropolitan Sessions Judge. The learned Sessions Judge allowed the appeal in part modifying the monthly monetary relief of Rs.8,000/- granted by the trial Court to that of Rs.4,000/-. Aggrieved by the same, the petitioner filed this revision.

3. Heard and perused the material available on record.

4. From the material on record, it is apparent that the 1st respondent had not appeared before the trial Court in CrI.M.P.No.68 of 2012 and the order passed by the trial Court is an ex parte order. The judgment under revision goes to show that there is no dispute as to the relationship between the parties. Admittedly, DVC case filed by the petitioner is pending before the trial Court. In view of the same, without

expressing any opinion on the merits of the case, this Criminal Revision Case is disposed of with the following directions:

1. The 1st respondent is directed to pay Rs.5,000/- (Rupees Five Thousand only) per month towards monthly monetary relief to the petitioner and her child on or before 10th of every succeeding month till disposal of the DVC case;
2. The 1st respondent is further directed to pay the arrears of the said monthly monetary relief from the date of the order of the trial Court in Crl.M.P.No.68 of 2012 in DVC No.1 of 2012, at the above rate fixed by this Court within a period of six months from the date of receipt of a copy of this order;
3. The trial Court is directed to dispose of DVC within a period of three months from the date of receipt of a copy of this order, without being influenced by the orders of the Courts below and the above order of this Court.

Consequently, the miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Dated: 30.10.2015

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THE HON'BLE SRI JUSTICE RAJA ELANGO

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