

THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

Criminal Petition No.1760 of 2015

ORDER:

Heard learned counsel for petitioner.

The grievance of the petitioner is to the effect that after orders passed in Crl.R.C.No.179 of 2012 by this High Court on 03.07.2012, the petitioner filed M.P.No.174 of 2012 for enforcement of maintenance claim proportionate to the default amounts for which it has to be paid to the petitioner and the same was pending. The petitioner is now unable to execute the warrant issued against the respondent No.1 since April, 2013. It is further submitted by learned counsel that the respondent No.1 retired on 28.02.2015 and he is going to receive terminal benefits approximately Rs.16 Lakhs and if he withdraws that amount, it will be difficult for petitioner to get the maintenance benefits. The petitioner filed M.P.No.5 of 2015 for giving a direction to 2nd respondent not to release the retirement benefits of 1st respondent and only a notice was ordered therein by the Family Court, Secunderabad. So far the attachment of the terminal benefits of the respondent No.1 was not done.

In the light of above submission of the learned counsel for petitioner, the learned Judge, Family Court, Secunderabad is directed to dispose of the execution petitions if any, pending in its Court in M.C.No.80 of 2010 as per law at the earliest.

Accordingly, this Criminal Petition is disposed of.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

U.DURGA PRASAD RAO, J

Date: 10-03-2015
scs