

THE HON'BLE SRI JUSTICE M.S.K. JAISWAL

Criminal Revision Case No. 1027 of 2013

Order:

This Criminal Revision Case is directed against the orders, dated 09.04.2013, passed in MC No.144 of 2010 by the Additional Metropolitan Sessions Judge for trial of JHCBBC-cum-Additional Family Court-cum-XXIII Additional Chief Judge, Hyderabad, whereby and whereunder the learned Judge has awarded monthly maintenance of Rs.2,000/- to the first respondent herein.

2. The first respondent herein is the wife of the petitioner herein. She filed MC No.144 of 2010, under Section 125 Cr.P.C., against the petitioner herein seeking maintenance of Rs.15,000/- per month. The Court below, on consideration of the entire oral and documentary evidence on record, granted monthly maintenance of Rs.2,000/- to the first respondent herein. Aggrieved by the same, the petitioner filed the present revision.

3. The contention of the learned counsel for the petitioner is that the amount awarded by the Court below is excessive and even though the first respondent is working as a Teacher in a private School and earning Rs.9,000/- per month the Court below has awarded the maintenance.

4. Though the contention of the learned counsel for the petitioner is that the first respondent is working as a Teacher in a private School and earning Rs.9,000/- per month, no evidence whatsoever is produced by the petitioner in that direction. The Court below, on proper appreciation of the entire oral and documentary evidence on record, held that the first respondent – wife is entitled for maintenance. With regard to quantum, though the first respondent claimed Rs.15,000/- per month towards her maintenance, the Court below awarded only Rs.2,000/- per month to her. Considering the present day cost of living, the said amount of Rs.2000/- per month as awarded by the Court below appears to be very low for maintenance of the first

respondent. Hence, it cannot be said that the maintenance amount awarded by the Court below is excessive. In the circumstances, absolutely there are no grounds to further reduce the maintenance amount awarded by the Court below. The Criminal Revision Case is devoid of merit and the same is liable to be dismissed.

5. Accordingly, the Criminal Revision Case is dismissed.

6. As a sequel thereto, the miscellaneous applications, if any, pending in the Criminal Revision Case shall stand closed.

M.S.K. JAISWAL, J.

Date: 13.10.2015

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