

THE HON'BLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.340 OF 2015

ORDER:

This Criminal Revision Case is filed against the order, dated 13.01.2015, passed in CrI.M.P. No.205 of 2012 in M.C. No.103 of 2009 by the Judge, Family Court-cum-XII Additional District Judge, Guntur.

The brief facts of the case are that the petitioner is the wife of the 2nd respondent. The petitioner filed M.C. No.103 of 2009 before the Court below against the petitioner. The Court below allowed the M.C. by granting Rs.2,500/-per month towards maintenance to the petitioner. The petitioner filed CrI.M.P. No.205 of 2012 in M.C.No.103 of 2009 seeking enhancement of maintenance to Rs.10,000/- per month. The Court below allowed the petition in part and enhanced the maintenance at Rs.5,000/- per month. Aggrieved by the same, the present revision petition is filed.

Heard and perused the material available on record.

Learned counsel for the petitioner submits that the order passed by the Court below is contrary to law and the Court below has failed to take into consideration the fact that the cost of living is increasing abnormally. His main contention is that in the wedding card, the designation of the 2nd respondent was mentioned as an Assistant Professor, therefore, necessarily his earnings should have been more and the petitioner should have been given Rs.10,000/- p.m., as maintenance.

It is evident from the record that except the wedding card, there is nothing on record to establish that the 2nd respondent is earning such a huge amount to pay Rs.10,000/- per month to the petitioner as maintenance. Hence, this Court is of the view that there is no need to interfere with the order passed by the Court below.

Accordingly, the Criminal Revision Case is disposed of. However, it is left open to the petitioner to file an application under Section 127 Cr.P.C., if she is able to prove that the 2nd respondent is earning more.

Miscellaneous petitions, pending if any, shall stand closed.

RAJA ELANGO, J

June 15, 2015

KTL