

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

CRIMINAL REVISION CASE No.1512 of 2015

Between:

Sri Pasula Praveen Kumar.

..Petitioner

And

1. Smt. Pasula Praneeta alias Radhika and another.

..Respondents.

DATE OF JUDGMENT PRONOUNCED: 31.7.2015

SUBMITTED FOR APPROVAL:

THE HONOURABLE SRI JUSTICE RAJA ELANGO

1. Whether Reporters of Local newspapers may be :: Yes/No
Allowed to see the judgments?

2. Whether the copies of judgment may be marked :: Yes/No
To Law Reporters/Journals

3. Whether Their Ladyship/Lordship wish to see :: Yes/No
the fair copy of Judgment?

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.1512 OF 2015

ORDER:

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1. This revision case is filed by the petitioner-husband challenging the order dated 2.7.2015 passed in Crl.M.P.No.156 of 2015 in M.C.No.31 of 2015 by the Additional Metropolitan Sessions Judge for the Trial of JHCBBC-cum-Additional Family Court, Hyderabad.

2. The 1st respondent, who is the wife of the petitioner, filed the above M.C. against the petitioner-husband claiming maintenance. Along with the above M.C., she also filed the above Crl.M.P. under Section 125(1) Cr.P.C. against the petitioner-husband claiming interim maintenance at the rate of Rs.6,000/- p.m.. Considering the earning capacity of the petitioner, the trial Court allowed the above Crl.M.P. directing the petitioner-husband to pay a sum of Rs.8,000/- p.m., to the 1st respondent-wife towards interim maintenance. Aggrieved by the same, the petitioner-husband filed the present revision case.

3. Learned Counsel for the petitioner submitted that the 1st respondent-wife refused to join the company of the petitioner-husband without any reasons in spite of requests made by the petitioner and the O.P. filed by the petitioner-husband for restitution of conjugal rights and therefore, she is not entitled to any maintenance. He further submitted that even though the petitioner claimed interim maintenance at the rate of Rs.6,000/- per month, the Court below erroneously granted Rs.8,000/- p.m. and that the maintenance awarded by the trial Court is excessive.

4. Considering the facts and circumstances of the case and in view of the pendency of the maintenance case, this Court is inclined to pass the following order:

- i) The trial Court is directed to dispose of the above maintenance Case i.e., M.C.No.31 of 2015 as early as possible.
- ii) Till then, the petitioner-husband is directed to pay interim maintenance at the rate of Rs.4,000/- p.m., to

the 1st respondent and commencing from the month of August, 2015, on or before 10th of every succeeding month;

iii) The petitioner-husband is further directed to pay 50% of the arrears of maintenance i.e., from the date of petition till July, 2015 at the rate fixed by this Court, within a period of three months from the date of receipt of a copy of this order.

iv) The above order does not stand in the way of the trial Court in passing appropriate final orders in the above M.C.

5. With the above direction, the Criminal Revision Case is disposed of. Consequently, the miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Dated: 31.07.2015

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THE HONOURABLE SRI JUSTICE RAJA ELANGO

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CRIMINAL REVISION CASE No.1512 OF 2015

DATED 31st July, 2015.

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