

HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.2053 of 2015

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ORDER:

The present revision is preferred against the order dated 12.07.2015 passed by the Judge, Family Court – cum – Additional District and Sessions Judge, Nalgonda, in CrI.M.P.No.46 of 2015 in M.C.No.10 of 2015.

The first respondent herein is the wife of the petitioner herein and the second respondent herein is their minor son. Respondents 1 and 2 filed M.C.No.10 of 2015. They also filed the above CrI.M.P.No.46 of 2015 under Section 125 Cr.P.C seeking interim maintenance of Rs.10,000/- per month to each of them. They pleaded that the petitioner is working as Software Engineer and earning Rs.1,00,000/- per month and has got a house at New Dilsukhnagar. The Court below, considering the entire material available on record, through order dated 12.07.2015, granted a sum of Rs.3,000/- per month to the first respondent and Rs.2,000/- per month to the second respondent towards interim maintenance. Questioning the same, the petitioner-husband filed this Criminal Revision Case.

Having heard the learned counsel on either side and going through the entire material available on record, this Court is of the view that though respondents 1 and 2 contended that the petitioner is working as a Software Engineer and earning Rs.1,00,000/- per month, they have not filed any certificate to prove the same. Hence, this Court is of the view that the Criminal Revision Case can be disposed of with the following directions:

The petitioner is directed to pay Rs.1,500/- per month to the first respondent and Rs.1,000/- per month to the second respondent on or before 10th of every succeeding month till the disposal of M.C.No.10 of 2015. The trial Court is directed to dispose of the said M.C as expeditiously as possible, preferably, within a period of three months from the date of receipt of a copy of this order. Insofar as the arrears of maintenance are concerned, the petitioner is directed to pay the same from the date of the petition i.e., CrI.M.P.No.46 of 2015 at the rate fixed by this Court, within a period of three months from today.

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

Subject to the above directions and observation, the Criminal Revision Case is disposed of.

Pending Miscellaneous Petitions shall stand closed.

Justice Raja Elango

Date: 21.09.2015

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