

**HONOURABLE SRI JUSTICE RAJA ELANGO**

**CRIMINAL REVISION CASES No.584 & 932 OF 2014**

**COMMON ORDER:**

1. Crl.R.C.No.584 of 2014 is filed by the petitioners viz., husband and in-laws aggrieved by the order dated 24.2.2014 passed in DVC Appeal No.967 of 2013 by the III Additional Metropolitan Sessions Judge, Hyderabad whereas Crl.R.C.No.932 of 2014 is filed by the petitioner-wife aggrieved by the order dated 24.2.2014 passed in DVC Appeal No.981 of 2013 by the III Additional Metropolitan Sessions Judge, Hyderabad.

2. Originally, the wife filed DVC No.390 of 2012 on the file of the III Metropolitan Magistrate, Hyderabad against her husband and in-laws and along with the same, she also filed Crl.M.P.No.1318 of 2012 seeking to direct her husband to pay an amount of Rs.75,000/- towards interim maintenance to her and to her two children. The learned Magistrate rejected the interim maintenance to the wife, but granted maintenance of Rs.8,000/- p.m., to each of her two children from the date of petition. Aggrieved by the granting of maintenance to the children, the husband and in-laws filed appeal in DVC Appeal No.967 of 2013 whereas aggrieved by the denial of maintenance to her, the wife filed DVC Appeal No.981 of 2013 before the III Additional Metropolitan Sessions Judge, Hyderabad. The learned Sessions Judge dismissed both the appeals confirming the order passed by the III Metropolitan Magistrate, Hyderabad in Crl.M.P.No.1318 of 2012 in DVC No.390 of 2012. Hence, the wife and the husband filed these revisions.

3. Heard and perused the material available on record.

4. Learned Counsel for the petitioner-husband submitted that the children are in the custody of the mother, who is also a Doctor and who

is having earning capacity and adequate means to maintain the children and therefore, the order of the trial Court is not sustainable.

5. The relationship between the parties is not in dispute. Considering the facts and circumstances of the case and the nature of the proceedings and the earning capacity of the parties, this Court is inclined to pass the following order:

(i) The 1<sup>st</sup> petitioner in Crl.R.C.No.584 of 2014 is directed to pay monthly maintenance to his two children at the rate of Rs.6,000/- p.m., each viz., in total Rs.12,000/- p.m., to his children from the date of application i.e., December, 2012. The arrears of the maintenance at the rate now fixed by this Court shall be paid within six months from the date of receipt of a copy of this order.

(ii) Rest of the order of the trial Court in Crl.M.P.No.1318 of 2012 in D.V.C.No.390 of 2012 remained unaltered.

(iii) The trial Court is directed to dispose of DVC as expeditiously as possible preferably within a period of six months from the date of receipt of a copy of this order.

6. Accordingly, both the Criminal Revision Cases are disposed of. Consequently, miscellaneous petitions pending, if any, shall stand closed.

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JUSTICE RAJA ELANGO

Dated : 18.06.2015

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