

**THE HON'BLE SRI JUSTICE R.SUBHASH REDDY**

**CIVIL REVISION PETITION No.4766 of 2015**

**ORDER:**

This Civil Revision Petition, under Article 227 of the Constitution of India, is filed against the order dated 16.09.2015 in I.A.No.539 of 2015 in FCOP.No.93 of 2014 passed by the Judge, Family Court at Secunderabad.

The petitioner-husband filed the aforesaid FCOP for grant of divorce. In the said OP, the respondent-wife has filed the present I.A under Section 24 of the Hindu Marriage Act, 1955 for grant of maintenance at Rs.30,000/- per month pending disposal of the FCOP. It is the case of the respondent-wife that the petitioner, without valid reason, refused to maintain her and, by making false allegations against her, filed the FCOP for grant of divorce. Pleading that she has no means of maintenance, the present IA is filed by the respondent-wife claiming maintenance at the rate of Rs.30,000/- per month. By impugned order, the Court below, having regard to the fact that the petitioner is working as Deputy Executive Engineer in Roads & Buildings Department and was drawing gross salary of Rs.77,314/- per month by July, 2015 and net salary of Rs.56,694/- per month, has ordered the petitioner to pay maintenance at the rate of Rs.15,000/- per month from the date of filing of the petition.

Heard Sri B.Sarvotham Reddy, learned counsel for the petitioner,

and Sri Baddam Narasimha Reddy, learned counsel appearing for the respondent.

Though it is submitted by the learned counsel for petitioner that

the respondent is having her own income and, in spite of the same and without disclosing the same, the present I.A is filed for grant of maintenance, no material is placed before the Court with regard to income of the respondent. It is not in dispute that the petitioner is working as Deputy Executive Engineer in Roads & Buildings Department. In that view of the matter, we do not find any merit in this petition to interfere with the impugned order granting maintenance at the rate of Rs.15,000/- per month to the respondent, who is the wife of the petitioner. However, as the petitioner has pleaded that due to financial stringency, he could not pay maintenance and requested to grant some reasonable time to pay arrears, he is permitted to pay arrears of maintenance within a period of six weeks from today. Further, the learned Judge, Family Court, Secunderabad, is directed to dispose of FCOP.No.93 of 2014 as expeditiously as possible, preferably within a period of four months from today.

Subject to above, this Civil Revision Petition is disposed of. There shall be no order as to costs.

As a sequel, pending miscellaneous petitions, if any, shall stand closed.

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**R.SUBHASH REDDY, J**

20.11.2015

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