

HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

C.R.P.No.376 of 2015

Date : 13-3-2015

Between :

M. Narasimulu ..
Petitioner

And

Smt. M. Annapoorna ..
Respondent

Counsel for petitioner : Mr. Y. Koteswara Rao

Counsel for respondent : Mr. Venugopal Reddy Goddindla

The Court made the following :

-

ORDER:

This Civil Revision Petition arises out of order dated 11-9-2014 in I.A.No.3712 of 2013 in O.P.No.299 of 2010 on the file of the learned Judge, Family Court, Ranga Reddy District, at L.B. Nagar.

I have heard the learned Counsel for the parties and perused the record.

The petitioner has filed the above mentioned O.P. in the Family Court for divorce against the respondent. In the said O.P., the respondent filed I.A.No.3712 of 2013 under Section 24 of the Hindu Marriage Act, 1955, seeking a sum of Rs.10,000/- per month towards maintenance pending the divorce proceedings. By order dated 11-9-2014, the Family Court has allowed the said application by granting a sum of Rs.10,000/- per month towards interim maintenance as claimed by the respondent from the date of the petition.

Mr. Y. Koteswara Rao, learned Counsel for the petitioner, submitted that the Family Court has passed the order without hearing the Counsel for the petitioner.

The respondent has admitted the fact that she is presently employed earning Rs.5,000/- per month. She has

also not disputed the fact that the petitioner is maintaining her two daughters. In these facts and circumstances of the case, I am of the opinion that interests of justice would be balanced if the order of the Family Court is modified by reducing the maintenance amount to Rs.5000/- per month and payable w.e.f., the date of order i.e., 11-9-2014 instead of from the date of the petition. Ordered accordingly. The respondent is permitted to deposit the arrears accrued till the month of February 2015 on or before 15-4-2015 to the credit of the O.P. in the Family Court. He shall continue to deposit the monthly maintenance at the rate of Rs.5000/- from the month of March 2015 on or before the 5th of every succeeding month pending the O.P.

Subject to the modification of the order of the Family Court as indicated above, the Civil Revision Petition is partly allowed.

As a sequel to the disposal of the Civil Revision Petition, CRPMP Nos.470 and 471 of 2015 are disposed of as infructuous.

Justice C.V. Nagarjuna Reddy

Date : 13-3-2015

AM