

THE HON'BLE SRI JUSTICE RAJA ELANGO

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CRIMINAL REVISION CASE No.2774 OF 2015

ORDER:

This Criminal Revision Case is filed by the petitioner, challenging the order, dated 18.09.2015 passed in CrI.M.P. No.1237 of 2015 in DVC No.14 of 2015 by the IX Metropolitan Magistrate, Miyapur, Ranga Reddy District, whereby the learned Magistrate directed the petitioner to pay Rs.30,000/- per month to the 3rd respondent as interim maintenance.

The 2nd respondent is the wife and the 3rd respondent is the daughter of the petitioner. The petitioner married another lady and living with her. Hence, the respondents 2 and 3 filed DVC No.14 of 2015 before the Court below seeking certain reliefs. They filed CrI.M.P. No.1237 of 2015 before the Court below against the petitioner seeking interim maintenance at Rs.30,000/- per month to the 3rd respondent, pending disposal of the main case. The Court below, after evaluating the evidence and also after hearing the arguments made by both the parties, allowed the said application granting interim maintenance at Rs.30,000/- per month to the 3rd respondent, who is the minor daughter of the petitioner and the 2nd respondent. Aggrieved by the same, the present revision is filed.

Heard and perused the material available on record.

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It is not in dispute that the 2nd respondent is the wife and the 3rd respondent is the daughter of the petitioner. The learned Magistrate has taken efforts to discuss the case at length but, he failed to mention the reasons for awarding Rs.30,000/ as interim maintenance. Without mentioning any reasons, the learned Magistrate has simply ordered interim maintenance of Rs.30,000/-per month to the 3rd respondent.

Learned counsel for the petitioner fairly conceded before this Court that the petitioner is ready to pay Rs.10,000/- per month as interim maintenance to the 3rd respondent and also informed that he will pay the arrears of maintenance at the same rate, on or before 15th March, 2016 and also he is ready to pay the maintenance regularly.

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Considering the submissions made by the learned counsel for the petitioner and also having regard to the facts and circumstances of the case, without expressing any opinion on the merits of the case, this Criminal Revision Case is disposed of modifying the order under revision, as follows:

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The petitioner is directed to pay interim maintenance at the rate of Rs.10,000/- per month to the 3rd respondent from the date of the above application till disposal of DVC. He is also directed to pay the said maintenance amount on or before 10th of every succeeding month and the arrears if any, should be paid in three equal monthly installments from January, 2016 to March, 2016. The trial Court is directed to dispose of the DVC, as expeditiously as possible without being influenced by this order and the order under revision.

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Accordingly, the Criminal Revision Case is disposed of. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

December 09, 2015
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