

**THE HONOURABLE SRI JUSTICE RAJA ELANGO**

**Crl.R.C.No.1772 of 2014**

**ORDER**

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The present criminal revision case is directed against the order dated 04.08.2014 passed in Crl.M.P.No.47 of 2012 in M.C.No.36 of 2008 by the learned Judge, Family Court-cum-III Additional District Judge, Warangal.

2. Heard both sides.

3. By order dated 03.12.2010 in M.C.No.36 of 2008 filed by the second respondent, the trial Court, after conducting trial and at the agreement of both the parties, awarded monthly maintenance of Rs.1,000/- to her payable by the petitioner herein. In the year 2012, the second respondent filed the impugned application seeking to enhance the maintenance from Rs.1,000/- to Rs.9,000/- per month. By the order impugned, the trial Court enhanced the maintenance amount from Rs.1,000/- to Rs.5,000/-per month. Challenging the same, the present revision is filed.

4. When the matter came up for hearing, both parties are present and the petitioner is ready and willing to pay a sum of Rs.3,000/-per month towards maintenance and the second respondent is also agreed to receive the said amount.

5. Though the maintenance was awarded earlier at the consent of both the parties, the second respondent is at liberty to prefer an application for enhancement of maintenance since the said order

was of the year 2010 and the trial Court has rightly enhanced the compensation. However, in view of the consent of both the parties before this Court again, this Court is of the view that the maintenance amount of Rs.5,000/-per month, as awarded by the trial Court in the order impugned, is hereby reduced to Rs.3,000/-per month, and the petitioner is directed to pay a sum of Rs.3,000/-per month towards maintenance to the second respondent on or before 5<sup>th</sup> of every succeeding month. The petitioner is further directed to pay the arrears, if any, to the second respondent calculating at the rate fixed by this Court in three equal monthly installments commencing from the month of October, 2015. The payments, if any made, have to be adjusted accordingly.

6. With the above said modification of the impugned order, the Criminal Revision Case is disposed of. Miscellaneous petitions, if any, pending in this revision, shall stand closed.

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**JUSTICE RAJA ELANGO**

2<sup>nd</sup> September, 2015

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