

HON'BLE SRI JUSTICE M.S.K. JAISWAL

Criminal Revision Case No.5 of 2011

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Order:

This Criminal Revision Case is directed against the orders, dated 07.12.2010, passed in MP No.74 of 2010 in MC No.40 of 2010 by the learned Judge, Family Court, Ranga Reddy District, at L.B. Nagar, whereby and whereunder the learned Judge has awarded interim maintenance of Rs.2,000/- per month each to the respondents 1 to 3 herein, who are the wife and two sons of the petitioner herein.

2. Learned counsel appearing for the petitioner submits that even though the petitioner has filed a detailed counter, the same was not considered by the Court below and the learned Judge has erroneously quantified the interim maintenance at Rs.2,000/- per month each to the respondents 1 to 3, totaling to Rs.6,000/- per month, ignoring the fact that the gross salary of the petitioner was Rs.12,000/- per month and, therefore, sought to set aside the same.

3. On the other hand, learned counsel for the respondents 1 to 3 submits that the relationship between the parties is not disputed and the petitioner is working as a Machine Man in Government Printing Press and the amount of interim maintenance was determined as long back as in the year 2010 and at present the maintenance amount of Rs.2,000/- per month each to the wife and two children, who are sufficiently grown up and aged about 10 years and 9 years respectively, is grossly inadequate and, therefore, there are no grounds to interfere with the same.

4. The main MC is said to be pending for grant of maintenance. The relationship between the parties is not disputed. It is also not in dispute that the petitioner is working as a Machine Man in Government Printing Press and the pay particulars produced by the petitioner are pertaining to the month of August, 2010 and from that date there might be several increases in the pay of the petitioner including the revision of pay scales very recently. Therefore, the amount of interim maintenance granted by the Court below at Rs.2,000/- per month each to the respondents 1 to 3 in

the present day cost of living cannot be said to be in any way excessive and exorbitant. The Court below, after considering the entire material on record, has determined the said amount, which appears to be very reasonable and there are no grounds to interfere with the same. The Criminal Revision Case is devoid of merit and the same is liable to be dismissed.

5. Accordingly, the Criminal Revision Case is dismissed. However, since the Maintenance Case is of the year 2010, learned Judge, Family Court, Ranga Reddy District, at L.B. Nagar, is directed to dispose of the same as expeditiously as possible, preferably within a period of six (6) months from the date of receipt of a copy of this order.

6. As a sequel thereto, the miscellaneous petitions, if any, pending in this Criminal Revision Case shall stand closed.

M.S.K. JAISWAL, J

Date: 01.12.2015

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