

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.1883 of 2015

ORDER:

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This Criminal Revision Case is filed by the petitioner challenging the judgment dated 14.8.2015 passed in CrI.A.No.29 of 2015 by the Special Judge for Trial of Cases under SCs & STs (POA) Act-cum-Additional District & Sessions Judge, Vizianagaram.

The petitioner is the husband of the 2nd respondent. The 2nd respondent filed DVC No.3 of 2012 before the Judicial Magistrate of First Class, Srungavarapukota, against the petitioner. During the pendency of the same, the 2nd respondent filed M.P.No.425 of 2013 seeking interim maintenance. The Court below allowed the petition directing the petitioner to pay Rs.7,500/- per month to the 2nd respondent from the date of filing of the application i.e., 20.2.2013 till disposal of the main DVC. Aggrieved by the same, the petitioner filed the above Criminal Appeal. The lower appellate Court allowed the appeal in part reducing the interim maintenance granted by the trial Court i.e., 7,500/- to that of Rs.6,000/- per month. Hence, the petitioner filed this revision.

Heard and perused the material available on record.

Considering the facts and circumstances of the case and the relationship between the parties and in view of the pendency of the main DVC case, without expressing any opinion on the merits of the case, the Criminal Revision Case is disposed of with the following direction:

- i. The petitioner is directed to pay interim maintenance at the rate of Rs.5,000/- p.m., to the 2nd respondent on or before 10th of every succeeding month till disposal of the above DVC;
- ii. The petitioner is further directed to pay arrears of maintenance from the date of petition i.e., 20.2.2013 at the rate fixed by this Court, within three months from the date of receipt of a copy of this order.

- iii. The trial Court is directed to dispose of the DVC as early as possible preferably within a period of three months from the date of receipt of a copy of this order, without being influenced by the order of this Court.

The miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Dated: 7th September, 2015

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07.9.2015

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