

HON'BLE SRI JUSTICE R. SUBHASH REDDY

CIVIL REVISION PETITION No.5530 of 2015

ORDER :

This civil revision petition is filed by the respondent in I.A.No.189 of 2015 in O.P.No.1227 of 2011, aggrieved by order, dated 11.09.2015, passed by the Family Court, Hyderabad, in the said I.A.

The above O.P. is filed by the petitioner herein for grant of divorce and in that O.P., respondent/wife has filed a petition under Section 24 of the Hindu Marriage Act, seeking interim maintenance at the rate of Rs.10,000/- per month till the disposal of O.P. Though it is the allegation of respondent that the petitioner is earning Rs.1,00,000/- per month and in addition to that, he is also having a rental income of more than Rs.1,00,000/- per month, the petitioner/husband has disputed the same and admitted his income as only Rs.22,000/-. In the absence of evidence with regard to the income of petitioner as alleged by the respondent/wife, the Family Court has awarded an amount of Rs.7,000/- per month to meet her basic expenses and maintenance.

In this civil revision petition, it is contended by the learned counsel for petitioner that earlier, the parties have decided to obtain divorce by mutual consent and respondent has also received an amount of Rs.1,50,000/-

but subsequently backed out, as such, the O.P. was dismissed, forcing the petitioner to file the present O.P. and that such amount is not taken into consideration. Whether such amount is paid or not and whether there is any agreement for mutual consent or not, is a matter to be gone into at the time of final disposal of O.P. Having regard to the admitted income of petitioner, the interim maintenance awarded at the rate of Rs.7,000/- per month cannot be said to be exorbitant.

For the aforesaid reasons and for the reasons recorded by the Court below, the revision petition is devoid of merit and it is accordingly dismissed. No order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

R. SUBHASH REDDY, J

23rd December 2015

ajr