**THE HONOURABLE Dr.JUSTICE B.SIVA SANKARA RAO**

**CRIMINAL PETITION No.3769 of 2015**

**ORDER**:

This Criminal Petition is filed under Section 482 Cr.P.C by the petitioner to quash the order dated 06.02.2015 in MP.No.156 of 2014 in FCOP.No.857 of 2014 on the file of Judge, Additional Family Court, Visakhapatnam.

2. Heard the learned counsel for petitioner as well as the third respondent- State representing through the Public Prosecutor before ordering any notice to the maintenance case (in FCOP) petitioners- R.1 and R.2 herein and perused the material on record.

3. As the material falls short even to admit the application under Section 482 Cr.P.C., but for to observe that if there is any material for the petitioner to say that there are other obligations and burdens out of whatever his earnings and the quantum is on high side and he is if at all removed from service or resigned that with no avocation and further what the petitioners claim of Rs.40,000/- per month is very high and he is not earning to file the proof and without prejudice to the parties, such representative of the petitioners as respondent to the MC proceedings to decide on no merits for evidence, the petition is disposed of. The learned Judge shall dispose of said FCOP.No.857 of 2014 preferably within six months from the date of receipt of a copy of the order of this case since the proceedings are summary in nature.

4. Consequently, miscellaneous petitions, if any, pending in this petition, shall stand disposed of.

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**Dr. B.SIVA SANKARA RAO J,**

Date:2nd June, 2015

PNV