

HONOURABLE SRI JUSTICE RAJA ELANGO

Criminal Revision Case No.1942 of 2015

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ORDER:

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 This revision is filed against the order, dated 22.10.2013 passed in M.C. No.9 of 2012 by the Judicial Magistrate of First Class at Suryapet, whereby the trial Court *inter alia* directed the petitioner herein to pay Rs.2,500/- per month to the Respondent No.1 herein as maintenance.

 The arrears for the last three years are approximately accumulated to Rs.90,000/-. The trial Court has also issued warrants against the petitioner herein, since he could not able to pay the maintenance as ordered by the trial Court.

 The learned counsel for the petitioner submitted before this Court that during the pendency of M.C. and prior to passing of the impugned order by the trial Court, the Respondent No.1 herein became Conductor in the R.T.C. and she is capable of maintaining herself.

 The said fact was not placed before the trial Court during the time of trial. The learned counsel for the petitioner produced some of the salary certificates of the Respondent No.1 before this Court and prayed this

Court to direct the trial Court to consider the application, if filed by the petitioner seeking to recall the said order.

Considering the aforesaid facts and circumstances of the case, the petitioner herein is directed to pay Rs.25,000/- (Rupees Twenty Five Thousand only) before the trial Court towards the arrears of maintenance on or before 14-10-2015 and after payment of the said amount of Rs.25,000/-, the petitioner can file an application before the concerned Court and on such application, the trial Court is directed to consider the same on merits and pass appropriate orders as to whether the Respondent No.1 is eligible for maintenance in view of the fact that she is earning and also working as Conductor in R.T.C. The operation of N.B.Ws. issued by the trial Court against the petitioner is suspended till disposal of the proposed petition to be filed by the petitioner herein.

Accordingly, the Criminal Revision Case is disposed of.

Consequently, miscellaneous petitions pending, if any, in this revision are closed.

JUSTICE RAJA
ELANGO

Dated: 11.9.2015

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