

THE HON'BLE SRI JUSTICE RAJA ELANGO

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CRIMINAL REVISION CASE No.2581 OF 2015

ORDER:

This Criminal Revision Case is filed by the petitioner, challenging the order, dated 30.10.2015 passed in CrI.M.P. No.2237 of 2013 in C.C. No.8 of 2013 by the Judicial Magistrate of First Class, Yemmiganur, Kurnool District.

Heard and perused the material available on record.

The respondents 1 and 2 are the children of the petitioner. They, along with their mother, filed M.C. against the petitioner. They entered into a compromise before the Lok Adalat and the petitioner agreed to pay Rs.3,000/- per month each to the respondents 1 and 2 towards their maintenance till the completion of their education. He paid the said amount for a period of three months and thereafter, he became default in paying the same. Therefore, the respondents approached the Court below and filed an application. The Court below, through the impugned order directed the petitioner to pay the arrears of the maintenance i.e. Rs.76,000/- to the respondents 1 and 2 within a week from the date of that order. Aggrieved by the said order, the present revision is filed.

Learned counsel for the petitioner while admitting the fact of default in payment of the maintenance by the petitioner, submitted that the amount calculated by the Court below is not correct and that the petitioner has to pay Rs.61,000/-.

Having regard to the facts and circumstances of the case, without expressing any opinion on the merits of the case, this Criminal Revision Case is disposed of modifying the order under revision, as follows:

The petitioner is directed to pay an amount of Rs.30,000/- (Rupees thirty thousand only) on or before 20th November 2015 and the remaining amount on or

before 30th November 2015 to the respondents

1 and 2. After paying the above amount by the petitioner, the Court below is directed to conduct enquiry with regard to the total amount defaulted by the petitioner, and if the amount is found to be more than the amount now ordered to pay by the petitioner, he is directed to pay the difference amount, as per the directions of the Court below.

Accordingly, the Criminal Revision Case is disposed of. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

November 03, 2015

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