

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL REVISION CASE No.1806 of 2009

ORDER:

This Criminal Revision Case is directed against the judgment dated 23.09.2009 in CrI.A.No.53/2008 on the file of the Additional Metropolitan Sessions Judge, Cyberabad, NTR Nagar, Hyderabad, by and under which, the learned Sessions Judge confirmed the order of the trial Court passed in DVC.No.9/2007, dated 14.03.2008, whereunder, the trial Court granted separate residence to the 1st respondent and directed the revision petitioner to pay compensation of Rs.1,00,000/- out of sale proceeds and to pay maintenance to the 1st respondent @Rs.500/- per month from the date of petition.

Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the 1st respondent.

The petitioner is the father-in-law and the 1st respondent is the daughter-in-law. The 1st respondent is the wife of the son of the revision petitioner. After one year of the marriage, the son of the petitioner died on 21.03.2006 leaving the petitioner and the 1st respondent as his legal heirs. The wife of the petitioner was also expired on 25.08.2009. It is stated that after the marriage, the 1st respondent/daughter-in-law has taken away all her belongings and valuables from the house of the petitioner and more over filed DVC No.9/2007 on the file of the X Metropolitan Magistrate, Cuyberabad at Malkajigiri seeking a protection order and monetary relief and the trial Court passed an order on 14.03.2008 granting residence, compensation and maintenance, as stated supra. The petitioner was unsuccessful before the appellate Court.

It is contended that at present the petitioner is more than aged

about 80 years and he had some land which has been sold away and he got only 1/4th share in the said land, and there is one house, which is admittedly in possession and occupation of the 1st respondent/daughter-in-law, and at present the petitioner has neither any source of income nor any place to reside. Therefore, the learned counsel for the petitioner submits that it is very difficult for the petitioner/father-in-law to pay monthly maintenance, as awarded by the Courts below.

Having heard both the counsel and having considered the facts and circumstances of the case, I feel that ends of justice would meet if the revision can be disposed of with the following directions;

- i) The petitioner/father-in-law is directed to pay a sum of Rs.1,00,000/- (Rupees one lakh only) to the 1st respondent/daughter-in-law towards compensation, within a period of 2 (two) months from today;
- ii) The order of the Courts below in so far as granting monthly maintenance to the 1st respondent/daughter-in-law is set aside.

With the above directions, the Criminal Revision Case is disposed of.

Pending miscellaneous applications, if any, shall stand closed in consequence.

M.S.K.JAISWAL,J

Date: 14.12.2015

Dsr