

THE HON'BLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.1296 OF 2015

ORDER:

This Criminal Revision Case is filed against order, dated 10.06.2015, passed in CrI.M.P.No.198 of 2015 in M.C. No.346 of 2015 by the Additional Metropolitan Sessions Judge for the trial of Jubilee Hills Car Bomb Blast Case-cum-Additional Family Court, Hyderabad, whereby the learned Judge granted interim maintenance at Rs.10,000/- per month to the 2nd respondent.

The brief facts of the case are that the petitioner is the husband of the 2nd respondent. Their marriage was performed on 19.05.2011. They lived happily for some time and thereafter, the petitioner and his family members started harassing the 2nd respondent for demand of additional dowry and subsequently, the 2nd respondent was necked out of her matrimonial house. The 2nd respondent filed M.C. No.346 of 2014 before the Additional Metropolitan Sessions Judge for the trial of JHCBBC cum Additional Family Court cum XXIII Additional Chief Judge, Hyderabad, seeking to grant Rs.25,000/- p.m., to her towards maintenance. She also filed CrI.M.P. No.198 of 2015 for grant of interim maintenance at Rs.25,000/-p.m., during the pendency of the maintenance case. The learned Sessions Judge has partly allowed the said application and granted Rs.10,000/- p.m., as interim maintenance to the 2nd respondent. Challenging the same, the present revision case is filed by the petitioner – husband.

Heard and perused the material available on record.

Learned counsel for the petitioner submitted that the order passed by the Court below is illegal and improper, that the petitioner is neither working anywhere nor having any financial capacity to pay

maintenance and that the 2nd respondent herself left the company of the petitioner and hence, she is not entitled for maintenance.

This Court, without expressing any opinion with regarding the submissions made by the learned counsel for the petitioner is inclined to dispose of the revision case with the following directions:

1. The petitioner is directed to pay Rs.5,000/- (Rupees five thousand only) per month to the 2nd respondent as interim maintenance from the month of July, 2015 till the disposal of M.C. No.346 of 2014.
2. The petitioner is further directed to deposit 50% of the accumulated arrears of maintenance at Rs.5,000/- per month on or before 25.08.2015 before the trial Court. On failure to pay the monthly maintenance and also deposit of the arrears of maintenance by the petitioner, the trial Court is at liberty to take steps for payment of maintenance at Rs.10,000/- per month, as already ordered by the trial Court.
3. The trial Court is directed to dispose of M.C. No.346 of 2014 within a period of three (3) months from the date of receipt of a copy of this order, without being influenced by any of the observations made by this Court in this order.
4. The petitioner and the 2nd respondent are directed cooperate with the trial Court for early disposal of the M.C.

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

RAJA ELANGO, J

July 13, 2015.
KTL