

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.1850 OF 2013
AND
CRIMINAL REVISION CASE No.1239 OF 2015

COMMON ORDER:

These two criminal revision cases are arising out of the matrimonial disputes, and as such, the same are being disposed of by this common order.

Crl.R.C.No.1850 of 2013 is filed by the petitioners being aggrieved by the order dated 22.02.2013, passed in M.P.No.142 of 2012 in M.C.No.74 of 2006 on the file of the Judge, Additional Family Court, Visakhapatnam, whereby the Court below dismissed the application filed by the petitioners seeking to grant educational expenses to the second petitioner.

Crl.R.C.No.1239 of 2015 is filed by the petitioner (husband) being aggrieved by the order dated 05.05.2015 in M.P.No.88 of 2014 in F.C.O.P.No.74 of 2006, on the file of the Judge, Additional Family Court, Visakhapatnam, whereby the Court below enhanced the monthly maintenance amount to Rs.10,000/- and Rs.5,000/- payable to the petitioners in Crl.R.C.No.1850 of 2013 respectively, and directed the petitioner in Crl.R.C.No.1239 of 2015 to pay the said amounts on or before 10th of every month.,

This Court heard both sides and perused the material available on record.

Learned counsel for the petitioners in Crl.R.C.No.1850 of 2013 submits that the Court below erroneously dismissed the application filed by the petitioners seeking to grant an amount of Rs.45,144/- towards educational expenses, on the ground that the petition filed only for educational expenses is not maintainable. Learned counsel for the petitioner in Crl.R.C.No.1239 of 2015 submits that the petitioner is unable to pay the maintenance amount as enhanced by the Court below and as such, prays this Court to reduce the maintenance amount.

On perusing the entire records and hearing the arguments, the

criminal revision petitions are disposed of with the following directions:

(i) Insofar as Crl.R.C.No.1239 of 2015 is concerned, the petitioner is directed to pay monthly maintenance amount of Rs.7,000/- (Rupees seven thousand only) and Rs.4,000/- (Rupees four thousand only) to the respondents 2 and 3, on or before 10th of every succeeding month;

(ii) Insofar as Crl.R.C.No.1850 of 2013 is concerned, the second respondent (petitioner in Crl.R.C.No.1239 of 2015), is directed to pay an amount of Rs.45,000/- (Rupees forty five thousand only) to the second petitioner towards educational expense every year to be payable in April.

(iii) The petitioner in Crl.R.C.No.1239 of 2015 is also directed to pay arrears of maintenance amount calculating at the rates mentioned (i) above in six equal monthly instalments.

(iv) It is made clear that the amounts already paid, if any, are to be adjusted for the purpose of calculating the arrears.

The Criminal Revision Cases are accordingly disposed of. Consequently, the miscellaneous petitions filed in this revision, if any, shall stand closed.

JUSTICE RAJA ELANGO

03.12.2015

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