

THE HONOURABLE SRI JUSTICE RAJA ELANGO

Crl.R.C.No.1051 of 2015

ORDER

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The present criminal revision case is directed against the order dated 11.09.2014 passed in M.P.No.55 of 2013 in F.C.O.P.No.642 of 2013 by the learned Judge, Family Court-cum-V Additional District and Sessions Judge, Visakhapatnam.

2. Heard both sides.

3. During the pendency of F.C.O.P.No.642 of 2013, respondent Nos.1 to 3 being wife and children of the petitioner filed M.P.55 of 2013 claiming interim maintenance. The trial Court after considering the monthly salary of the petitioner and also monthly income from his fixed assets, granted interim maintenance at the rate of Rs.5,000/-per month each to respondent Nos.1 to 3 from the date of the petition. Aggrieved by the same, the petitioner filed the present revision.

4. The relationship between the parties is not in dispute. The trial Court, after taking the various circumstances into consideration, granted the said interim maintenance to the unofficial respondents. Apparently, the order impugned is an interim in nature. Therefore, without expressing any opinion on merits of the matter, the trial Court is directed to dispose of F.C.O.P.No.642 of 2013 within a period of six months from the date of receipt of a copy of this order. Till such time, the petitioner

is directed to pay a sum of Rs.2,500/- per month each to respondent Nos.1 to 3 towards interim maintenance on or before 10th of every succeeding month. The petitioner is further directed to pay the arrears, if any, to respondent Nos.1 to 3 at the rate fixed by this Court in three equal monthly installments commencing from the month of August, 2015. The payments, if any made, have to be adjusted accordingly. The trial Court shall dispose of the said F.C.O.P., on merits without being influenced by the observations of this Court.

5. With the above said modification of the impugned order, the Criminal Revision Case is disposed of. Miscellaneous petitions, if any pending in this revision, shall stand closed.

JUSTICE RAJA ELANGO

2nd July, 2015

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