

THE HONOURABLE SRI JUSTICE RAJA ELANGO

Crl.R.C.No.1832 of 2015

ORDER

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The present criminal revision case is directed against the docket order dated 01.07.2015 passed in Crl.M.P.No.19 of 2014 in M.C.No.94 of 2011 by the learned Judge, Family Court, Ranga Reddy District at L.B.Nagar.

2. Heard both sides.

3. During the pendency of M.C.No.94 of 2011, the first respondent being the wife of petitioner filed Crl.M.P.19 of 2014 seeking to direct the petitioner to deposit the arrears of maintenance of Rs.25,000/- for a period of five months at the rate of Rs.5,000/-per month from 18.05.2012 to 18.10.2013 as early as possible and also to pay regular monthly maintenance. By the order impugned, the trial Court directed the petitioner herein to pay interim maintenance @ Rs.,10,000/-per month from the date of the petition after deducting the amount already paid and the amount is payable by 5th of every month without fail. Aggrieved by the same, the petitioner filed the present revision.

4. The main grievance of the petitioner is that though the first respondent filed Crl.M.P.No.19 of 2011 for arrears of maintenance which has to be paid by the petitioner from 18.05.2012 to 18.10.2013, the trial Court passed the order impugned enhancing the interim maintenance already granted by the Court.

5. Admittedly, the first respondent filed the impugned application for arrears of maintenance for a period of 5 months at the rate of Rs.5,000/-per month from 18.05.2012 to 18.10.2013 as already ordered by the trial Court on 18.04.2011, whereas the trial Court has passed the impugned order enhancing the maintenance from Rs.5,000/-per month to Rs.10,000/-per month without passing any order with regard to the arrears of maintenance as sought for by the petitioner. Hence, the impugned order is hereby set aside and the matter is remitted to the trial Court for disposal of Crl.M.P.No.19 of 2014 afresh in accordance with law after hearing both sides.

6. With the above direction, the Criminal Revision Case is disposed of. Miscellaneous petitions, if any pending in this revision, shall stand closed.

JUSTICE RAJA ELANGO

2nd September, 2015

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