

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE Nos.355 & 361 of 2015

COMMON ORDER:

-

1. Since both the revision cases arise out of one and the same common judgment, this Court heard both the revisions together to dispose of the same by this common order.

2. Crl.R.C.No.355 of 2015 and Crl.R.C.No.361 of 2015 are filed by the petitioner against the common judgment dated 3.2.2015 passed in D.V. Appeal Nos.830 and 828 of 2014, by the II Additional Metropolitan Sessions Judge, Hyderabad.

3. The petitioner is the husband of the 2nd respondent. The 2nd respondent filed D.V.C.No.110 of 2013 against the petitioner before the III Metropolitan Magistrate (Traffic Mobile Court), Hyderabad seeking various reliefs, on the ground that she was subjected to domestic violence. During the pendency of the DVC, she filed Crl.M.P.Nos.1069 and 1070 of 2013 seeking maintenance of Rs.20,000/- per month and also to pay Rs.15,000/- per month for residence. The trial Court allowed the above applications granting a sum of Rs.12,000/- per month to the 2nd respondent towards interim maintenance and residence from July, 2014. Aggrieved by the same, the petitioner preferred appeals i.e., DV Appeal Nos.828 and 830 of 2014. The lower appellate Court partly allowed the appeals modifying the amount granted by the trial Court i.e., Rs.12,000/- p.m., to that of Rs.9,000/- p.m. Being not satisfied with the said order, the petitioner filed the above revisions.

4. Heard and perused the material available on record.

5. The learned Counsel for the petitioner submitted that the petitioner is not having any job and he is staying in Ashram, but the petitioner is ready to pay a sum of Rs.7,000/- per month to the 2nd respondent.

6. Considering the facts and circumstances of the case and the submissions made by the learned Counsel for the petitioner and in view of the pendency of the DVC case, without expressing any opinion on the merits of the case, this Court is inclined to modify the order of the lower appellate Court.

7. Accordingly, the petitioner is directed to pay Rs.7,000/- per month instead of Rs.9,000/- p.m., towards interim maintenance and residence to the 2nd respondent on or before 10th of every succeeding month. The petitioner is further directed to pay the arrears i.e., from July 2014 at the rate fixed by this Court, within three months from the date of receipt of a copy of this order. The trial Court is directed to dispose of the DVC as early as possible. The above order does not stand in the way of the trial Court in passing appropriate final orders in the above D.V.C.

8. With the above modification, the Criminal Revision Cases are disposed of. The miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Dated: 7th September, 2015

Nn

THE HONOURABLE SRI JUSTICE RAJA ELANGO

-
-
-
-
-
-
-
-
-
-
-

CRIMINAL REVISION CASE Nos.355 & 361 of 2015

-
-
-
-

07.9.2015

Nn

-