

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.1651 OF 2015

ORDER:

The present criminal revision case is filed by the petitioners challenging the order, dated 15.07.2015, passed in C.R.P.No.54 of 2014 by the Court of the Sessions, Prakasam Division, Ongole, whereby the lower appellate Court allowed the revision petition by setting aside the order, dated 01.08.2014, passed in CrI.M.P.No.2929 of 2014 in D.V.C.No.23 of 2014 by the Court of the II Additional Judicial Magistrate of First Class, Ongole, whereby the learned trial Judge directed the first respondent herein to pay an amount of Rs.5,000/- (Rupees five thousand only) per month towards interim maintenance to the second petitioner herein.

Heard and perused the records.

Learned counsel for the petitioners submitted that the lower appellate Court allowed the revision petition on an erroneous ground that the first respondent and the first petitioner obtained divorce order and as such, there is no need for the first respondent herein to pay maintenance to the petitioners herein. Hence, he prays this Court to allow the present revision case.

Considering the facts and circumstances of the case, the order, dated 15.07.2015 passed in C.R.P.No.54 of 2014 by the Court of Sessions, Prakasam Division, Ongole, is hereby set aside and the trial Court is directed to proceed with D.V.C.No.23 of 2014 and to pass appropriate orders in accordance with law, preferably within a period of six months. Till then, the first respondent is directed to pay the interim maintenance of Rs.5,000/- (Rupees five thousand only) to the second petitioner herein, as ordered by the trial Court on or before 10th of every succeeding month. The first respondent is further directed to pay the entire arrears to the second petitioner herein within a period of three months.

With the above direction, the Criminal Revision Case is disposed of. Consequently, the miscellaneous petitions filed in this revision, if any, shall stand closed.

12.10.2015
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