

THE HONOURABLE SRI JUSTICE RAJA ELANGO

Crl.R.C.No.2888 of 2015

ORDER

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The present criminal revision case is directed against the order dated 18.09.2015 passed in M.P.No.764 of 2015 in M.C.No.15 of 2014 by the learned Judicial First Class Magistrate, Cheepurupalli.

2. Heard and perused the material on record.

3. During the pendency of M.C.No.15 of 2014, respondents 1 and 2 being the wife and son of the petitioner filed M.P.No.764 of 2015 claiming interim maintenance at the rate of Rs.10,000/- and Rs.5,000/- per month respectively, payable by the petitioner. The trial Court having found that the petitioner is working as Circle Inspector of Police and drawing gross salary of Rs.45,485/- and willfully neglected and refused to provide minimum necessities to his wife and son, granted interim maintenance at the rate of Rs.5,000/- per month to the wife and Rs.3,000/- per month to the son from the date of the petition till disposal of the maintenance case. 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 M.C.No.15 of 2014 within a period of three 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 to the first respondent and Rs.3,000/-per month to the second respondent towards interim maintenance on or before 10th of every succeeding month. The petitioner is further directed to pay the arrears, if any, to respondents 1 and 2 calculating at the rate fixed by this Court in three equal monthly installments commencing from the month of December, 2015. The payments, if any made, have to be

adjusted accordingly. The trial Court shall dispose of the said MC 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

26th November, 2015

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