

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.4740 of 2015

ORDER:

The criminal petition is filed against the order dated 17.03.2015 in CrI.M.P.No.102/2014 in F.C.O.P.No.1276/2014 on the file of the V Additional District & Sessions Judge-cum-Judge, Family Court at Visakhapatnam, by and under which, the Court below granted interim maintenance @Rs.6,000/- per month to the 2nd respondent/wife.

Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor, representing the State.

The learned counsel for the petitioner submits that the petitioner is not doing any job and he is not in a position to pay maintenance to the wife, and the Court below without considering the source of income of the petitioner, erroneously granted interim maintenance of Rs.6,000/- per month.

Perused the record.

Having considering the submissions of the learned counsel for the petitioner and in view of the facts and circumstances of the case, I feel that it would meet the ends of justice if the interim maintenance granted by the Court below is reduced from Rs.6,000/- to Rs.3,000/- per month.

Accordingly, the Criminal Petition is disposed of, the impugned order is modified to the extent of reducing the interim maintenance granted by the Court below from Rs.6,000/- to Rs.3,000/- per month from the date of petition. However, the Court below is directed to dispose of the main F.C. as expeditiously as possible, preferably, within a period of 6 (six) months from the date of receipt of a copy of this order.

Pending miscellaneous applications, if any, shall stand closed in consequence.

M.S.K.JAISWAL,J

Date: 12.06.2015

Prv