

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.1888 OF 2015

ORDER:

1. This revision case is filed by the petitioner challenging the order dated 13.7.2015 passed in CrI.A.No.30 of 2015 by the Additional Metropolitan Sessions Judge, Ranga Reddy District at L.B. Nagar confirming the order dated 10.12.2014 passed by the Judicial Magistrate of First Class, Special Mobile Court-cum-XI Metropolitan Magistrate, Cyberabad in CrI.M.P.No.2775 of 2014 in DVC No.40 of 2013.

2. The 1st respondent is the wife and the 2nd respondent is the daughter of the petitioner. The 1st respondent filed DVC No.40 of 2013 against the petitioner herein before the Judicial Magistrate of First Class, Special Mobile Court-cum-XI Metropolitan Magistrate, Cyberabad and the same is pending. While so, respondents 1 and 2 filed CrI.M.P.No.2775 of 2014 claiming interim maintenance of Rs.40,000/- per month from the date of petition. The learned Magistrate granted interim maintenance at Rs.10,000/- per month each to respondents 1 and 2 from the date of the petition and directed the petitioner to pay arrears of maintenance from the date of petition till November, 2014 within one month from the date of the order. Aggrieved by the same, the petitioner filed the above CrI.A.No.30 of 2015 before the Additional Metropolitan Sessions Judge, Ranga Reddy District. The learned Metropolitan Sessions Judge dismissed the appeal. Hence, the petitioner approached this Court.

3. Learned Counsel for the petitioner submitted that the petitioner worked till January, 2014 in BHEL company and he was terminated from service as he could not attend his duties regularly because of the harassment made by the 1st respondent and that petitioner is not having any regular monthly income and that the maintenance granted

by the trial Court is excessive.

4. Considering the facts and circumstances of the case 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 pass the following order:

- i) The trial Court is directed to proceed with the above DVC No.40 of 2013 and dispose of the same as early as possible, preferably within six months from the date of receipt of a copy of this order.
- ii) Till then, the petitioner is directed to pay maintenance to respondents 1 and 2 at the rate of Rs.4,000/- p.m., each commencing from the month of October, 2015 on or before 10th of every succeeding month, ;
- iii) The petitioner is further directed to pay arrears of maintenance, from the date of the petition i.e., Crl.M.P.No.2775 of 2014 in D.V.C.No.40 of 2013 till September, 2015, at the above rate i.e., Rs.4,000/- per month each to respondents 1 and 2, within a period of six months from the date of receipt of a copy of this order.
- iv) The above order does not stand in the way of the trial Court in passing appropriate final orders in the above DVC.

5. With the above directions, the Criminal Revision Case is disposed of. Consequently, the miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Dated: 4.09.2015

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THE HONOURABLE SRI JUSTICE RAJA ELANGO

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DATED 4th September, 2015.

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