

THE HON'BLE SRI JUSTICE R. SUBHASH REDDY

CIVIL REVISION PETITION No.5618 of 2015

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ORDER:

This Civil Revision Petition is filed by the respondent in M.P.No.40 of 2013 in M.C.No.240 of 2010 on the file of the Judge, Family Court, aggrieved by the order dated 02.11.2015 passed in the said M.P.

The respondent herein is the wife of the petitioner herein. She has filed the aforesaid M.C for maintenance. In the affidavit filed in support of the M.C, she has stated that she was not having any job and earnings and the petitioner was drawing salary of Rs.80,000/- per month at the time of filing the said M.C and, as such, sought to grant maintenance of Rs.30,000/- per month. Pending the said M.C., having regard to the present salary being drawn by the husband, the present M.P is filed by the wife seeking permission to amend the quantum of maintenance of Rs.30,000/- per month as Rs.75,000/- per month and also the salary of her husband as Rs.1,50,000/- per month in place of Rs.80,000/- per month, in the main petition. The said M.P is allowed by impugned order. Hence, this revision is filed.

Heard learned counsel for the petitioner and

perused the affidavit and other material available on record.

In this revision, it is contended by learned counsel for the petitioner that the respondent-wife has already remarried and in view of the same, she is not entitled for any maintenance.

The questions as to whether the respondent is entitled for maintenance or not and whether she has married another person or not, are to be dealt with by the Family Court, based on the averments made by the parties, at the time of deciding the petition filed for granting maintenance, but the same cannot be gone into in the present M.P, which is filed only for amendment of the figures in the main petition.

For the aforesaid reasons, this Civil Revision Petition is devoid of merits and the same is accordingly dismissed. No order as to costs.

As a sequel, pending miscellaneous petitions, if any, shall stand closed.

JUSTICE R. SUBHASH REDDY

18.12.2015

v v