

CRIMINAL REVISION APPLICATION NO.130 OF 2016

VERSUS

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DATED : 20th October, 2016

PER COURT :-

Heard learned counsel for the parties.

2. The Judge, Family Court, Nanded in
Petition No. E-89 of 2015 vide order, dated
25.4.2016 awarded maintenance of Rs. 7,000/- per
month in exercise of powers under Section 125 of
the Code of Criminal Procedure.

3. While questioning the said order, the learned counsel for the petitioner/husband would urge that the petitioner is getting salary of Rs,22,000/- and odd and out of the said amount, he has to maintain himself, his minor son and aged ailing parents. According to him, in view thereof the quantum of Rs.7,000/- per month is on higher side.

4. Per contra, Shri Choukidar, learned counsel for the respondent/wife would urge that the father of the present petitioner is a retired employee, who gets substantial pension, apart from the income from the agricultural property. According to him, parents are not dependent upon the petitioner.

5. Having bestowed my thoughts to the rival submissions and having perused the evidence of the mother of present petitioner, it has been brought on record that the petitioner has to maintain his only son. The petitioner is Talathi and gets

salary of Rs.22,000/- along with other agricultural income. The father of petitioner gets pension is also not a fact in dispute.

6. Keeping in view the source of income from the salary of the petitioner, as also income from other sources, as reflected in the order, in my opinion, the amount of maintenance as ordered by the Court below does not call for any interference. Revision thus fails.

7. Hence, Criminal Revision Application stands dismissed. Respondent/wife is entitled to withdraw the amount deposited, in view of dismissal of Revision.

(N.W.SAMBRE, J.)

dbm/crra130.16