

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Civil Revision Petition No. 618 of 2016

Order:

The petitioner herein is the husband and he filed FCOP No.567 of 2014 on the file of the learned Judge, Family Court, at Secunderabad, seeking dissolution of marriage with the respondent – wife on the ground of desertion and cruelty. A child was born out of their wedlock. Pending disposal of the said FCOP, the respondent herein, who is the mother of the child and with whom the child is staying, filed IA No.362 of 2015 in FCOP No.567 of 2014 seeking a direction to the petitioner herein to pay monthly maintenance of Rs.15,000/- to the child by name Dhuthi Dhanvi.

2. The learned Family Court Judge considered the gross earnings of both the parties and it showed that the petitioner – husband was earning Rs.58,206/- per month, whereas the respondent – wife was drawing Rs.47,281/- per month. Keeping those earnings into consideration, the petitioner – husband was directed to pay an amount of Rs.10,000/- to the bank account of the respondent – wife on or before 10th of every month through online banking service and he was also directed to pay the entire arrears of interim maintenance accrued from the date of petition till the date of the order and continue to pay the said amount every month, by an order dated 10.09.2015. Challenging the same, the present Civil Revision Petition is filed.

3. Learned counsel for the petitioner submits that the petitioner is having aged parents, whom he had to maintain and also submits that the respondent is an earning member drawing salary of more than Rs.40,000/- per month. On the other hand, learned counsel for the respondent submits that the child is with the respondent and it is the duty of the father to maintain the child.

4. Taking the relationship of the parties and their earnings into

consideration, this Court feels that an amount of Rs.7,500/- per month would meet the ends of justice and, accordingly, the order passed by the Family Court, dated 10.09.2015, in IA No.362 of 2015 in FCOP No.567 of 2014, is modified directing the petitioner – husband to pay monthly maintenance of Rs.7,500/- instead of Rs.10,000/- as ordered by the Family Court. However, the order stands unaltered in all other respects, but with regard to payment of arrears of maintenance amount time is granted till 31.03.2016.

5. Accordingly, the Civil Revision Petition is partly allowed as indicated above. There shall be no order as to costs.

6. As a sequel thereto, the miscellaneous petitions, if any, pending in this Civil Revision Petition shall stand closed.

A.
Date: 09.02.2016
Nsr

RAMALINGESWARA RAO, J.