

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.3359 OF 2016

ORDER:

The present criminal petition is filed by the petitioner challenging the order, dated 01.12.2015, passed in M.P.No.54 of 2015 in F.C.O.P.792 of 2014, on the file of the Judge, Family Court, Visakhapatnam, whereby the Court below allowed the petition directing the petitioner herein to pay an amount of Rs.5,000/- (Rupees five thousand only) per month to the second respondent and Rs.2,000/- (Rupees two thousand only) per month to the third respondent towards interim maintenance.

Heard and perused the records.

Learned counsel for the petitioner submits that the petitioner herein is unable to pay the interim maintenance amount as ordered by the Court below to respondents 2 and 3 herein and as such, prays this Court to reduce the maintenance amount.

Considering the facts and circumstances of the case, the criminal petition is disposed of with the following directions.

(i) The petitioner herein is directed to pay 50% of the interim monthly maintenance ordered by the Court below, i.e., Rs.2,500/- (Rupees two thousand five hundred only) and Rs.1,000/- (Rupees one thousand only) to the respondents 2 and 3 herein respectively, on or before 10th of every succeeding month;

(ii) The petitioner is also directed to pay the arrears of maintenance amount calculating at 50% of the maintenance amount ordered by the Court below, within a period of three months from the date of this order; and

(iii) The trial Court is directed to dispose of F.C.O.P.No.792 of 2014 as expeditiously as possible, preferably within a period of six months, without being influenced by the order of this Court.

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

JUSTICE RAJA ELANGO

15.03.2016
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