

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.2153 OF 2014

ORDER:

This Criminal Revision Case is filed by the petitioners/ respondents under Sections 397 and 401 Cr.P.C. challenging the judgment, dated 23.09.2014, in Criminal Appeal No.572 of 2014 on the file of Additional Metropolitan Sessions Court, Ranga Reddy District at L.B. Nagar, whereunder and whereby, the learned Sessions Judge dismissed the appeal confirming the order, dated 04.10.2013, in CrI.M.P.No.2263 of 2013 in D.V.C.SR.No.4737 of 2013 passed by the IX Metropolitan Magistrate, Cyberabad, Kukatpally at Miyapur.

2. Respondent No.1 is the wife and respondent Nos.2 and 3 are children of petitioner No.1. They filed aforesaid D.V.C. before the trial Court seeking various reliefs. They also filed CrI.M.P.No.2263 of 2013 along with DVC seeking protection order, monthly rent, maintenance and restraining the petitioners herein from alienating the properties. The trial Court partly allowed the said application granting monthly monetary relief of Rs.40,000/- in all to respondent Nos.1 to 3. Aggrieved by the same, the petitioners preferred CrI.A.No.572 of 2014, which was dismissed by impugned judgment, dated 23.09.2014, confirming the order passed by the trial Court. Challenging the same, the present revision case is filed by the petitioners/respondents.

3. This Court, by order, dated 11.11.2014, while issuing notice to respondents, granted interim stay of the order, dated 04.10.2013 passed in CrI.M.P.No.2263 of 2013 in D.V.C.SR No.4737 of 2013 subject to petitioner No.1 herein paying arrears, if

any, within four weeks from date of that order and shall continue to pay monthly monetary relief @ Rs.20,000/- per month by 5th of every month. Thereafter, the petitioners herein filed CrI.R.C.M.P.No.1514 of 2015 to clarify the earlier order, dated 11.11.2014, in CrI.R.C.No.2153 of 2014 passed by this Court. This Court, after perusing the material available on record, directed petitioner No.1 to deposit 50% of the arrears before the trial Court within a period of four (04) weeks from that date.

4. Learned counsel for the petitioners submits that even though petitioner No.1 deposited 50% of arrears of maintenance as ordered by this Court, the trial Court is insisting him to deposit the entire arrears of maintenance.

5. Heard and perused the material available on record.

6. Having regard to the facts and circumstances of the case, without expressing any opinion on the merits of the case, this Criminal Revision Case is disposed of with the following direction:

The trial Court is directed to dispose of DVC within a period of six (06) months from the date of receipt of a copy of this order without insisting the petitioners to pay the other 50% of arrears of the amount. It is made clear that petitioner No.1 shall continue to pay monthly monetary relief of Rs.20,000/- (Rupees twenty thousand only) to respondent Nos.1 to 3, as directed by this Court, till disposal of the main D.V.C. Miscellaneous petitions, if any, pending in this Criminal Revision Case shall stand closed.

JUSTICE RAJA ELANGO

13.10.2016
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Date: 13.10.2016

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