

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.2847 OF 2015

ORDER:

This Criminal Revision Case is filed challenging the judgment, dated 24.8.2015, in D.V.Criminal Appeal No.204 of 2015 on the file of the II Additional Metropolitan Sessions Judge at Hyderabad confirming the order, dated 2.2.2015, in D.V.C.No.252 of 2013 on the file of the IV Metropolitan Magistrate, Hyderabad.

2. Respondent herein is the wife of petitioner No.1 and daughter-in-law of petitioner Nos.2 and 3. She filed D.V.C.No.252 of 2013 before the trial Court under Section 12 of the Protection of Women from Domestic Violence Act (for short, "the Act") against the petitioners herein. The petitioners remained *ex parte* and the trial Court, *vide* order, dated 2.2.2015, partly allowed the D.V.C. granting a sum of Rs.5,000/- per month to the respondent under Section 20(d) of the Act towards her maintenance from the date of the presentation of her case i.e., 25.10.2013 and Rs.3,000/- per month towards rental allowances under Section 19(f) of the Act from the date of the order; a sum of Rs.6 lakhs under Section 22 of the Act towards compensation directing the petitioners to pay the said amount jointly and protection order under Section 18 of the Act restraining the petitioners from committing any act of domestic violence against the respondent including communicating with the respondent in any manner. Aggrieved thereby, the petitioner preferred D.V.Criminal Appeal No.204 of 2015 before the II Additional Metropolitan Sessions Judge at Hyderabad wherein the learned Sessions Judge dismissed the appeal by confirming the order, dated 2.2.2015 in D.V.C.No.252 of 2013 passed by the IV Metropolitan Magistrate, Hyderabad. Challenging the same, the petitioner filed the present revision case.

3. Heard and perused the material available on record.

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4. After hearing the matter, with the consent of the learned counsel appearing on both sides, this Criminal Revision Case is disposed of with the following direction:

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The petitioners herein are directed to pay Rs.2,500/- per month towards arrears of maintenance to the respondent from 25.10.2013 onwards on or before 30.7.2016. On such payment, the judgment of the lower appellate Court as well as the order of the trial Court shall stand set aside and consequently, D.V.C.252 of 2013 shall stand restored. On such restoration, the trial Court is directed to dispose of the D.V.C. within a period of six (6) months after giving notice to both parties. Until then, the petitioners are directed to pay Rs.2,500/- per month to the respondent towards maintenance on or before 10th of every succeeding month. On such deposit, the respondent is at liberty to withdraw the said amount. If the petitioners fail to pay the arrears of maintenance within the stipulated time, the orders passed by the Courts below will stand.

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5. Miscellaneous petitions pending, if any, in this Criminal Revision Case shall stand closed.

JUSTICE RAJA ELANGO

20.6.2016

AMD

THE HONOURABLE SRI JUSTICE RAJA ELANGO

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Date: 20.6.2016

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