

**THE HONOURABLE SRI JUSTICE RAJA ELANGO**  
**CRIMINAL REVISION CASE No.294 OF 2016**

**ORDER:**

1. This revision case is filed by the petitioner against the order dated 22.1.2016 passed in CrI.M.P.No.42 of 2016 in MC No.20 of 2015 by the IV Additional Junior Civil Judge, Rajahmundry.
2. The 2<sup>nd</sup> respondent is the wife and the 3<sup>rd</sup> respondent is the daughter of the petitioner. The 2<sup>nd</sup> respondent filed the above MC against the petitioner. As the petitioner failed to attend before the trial Court, he was set ex parte on 26.6.2015 and an ex parte order was passed on 10.7.2015 in the above M.C. Then, the petitioner filed the above CrI.M.P. seeking to set aside the ex parte order in the above M.C. The trial Court allowed the above CrI.M.P. and imposed a condition directing the petitioner to pay half of the arrears of maintenance amount on or before 3.2.2016. Aggrieved by the said condition, the petitioner challenged the order of the trial Court by filing this revision.
3. Heard and perused the material available on record.
4. Learned Counsel for the petitioner while submitting that the petitioner is ready to substantiate the fact before the trial Court on various grounds that he is not entitled to pay the maintenance, prayed this Court to modify the above condition.
5. There is no dispute as to the relationship between the parties. Considering the facts and circumstances of the case and in view of the above submission made by the learned Counsel for the petitioner, the above condition imposed by the trial Court in the order under revision i.e., the petitioner shall pay 50% of the maintenance amount on or before 3.2.2016 is modified as follows:

“The petitioner shall pay 25% of the arrears of maintenance amount on or before 15.2.2016. In default, the above CrI.M.P. shall stand dismissed. On such deposit, the trial Court is directed to proceed with the matter in accordance with law.”

6. Accordingly, the Criminal Revision Case is disposed of. Consequently, miscellaneous petitions pending, if any, shall stand closed.

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**JUSTICE RAJA ELANGO**

Date : 29.1.2016

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**THE HONOURABLE SRI JUSTICE RAJA ELANGO**

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**CRIMINAL REVISION CASE No.294 OF 2016**

**DATED 29.1.2016**

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