

THE HON'BLE SRI JUSTICE RAJA ELANGO

-
CRIMINAL REVISION CASE No.605 OF 2016

ORDER:

The criminal revision case is filed by the petitioner challenging the order, dated 13.10.2014, passed in M.C.No.19 of 2014 by the Court of the V Additional Junior Civil Judge, Guntur, whereby the Court below directed the petitioner herein to pay an amount of Rs.5,000/- (Rupees five thousand only) per month each to the respondents 1 and 2 herein towards interim maintenance.

Heard and perused the records.

Learned counsel for the petitioner submits that the petitioner herein has filed an application for restitution of conjugal rights and that he is ready to take the respondents 1 and 2 back, but due to the adamant character of the respondents No.1, she is not joining with the petitioner herein. He further submits that the petitioner has filed his 'Salary Certificate', which indicates that he is drawing an amount of Rs.16,125/- per month after all the deductions. Hence, learned counsel prays this Court to reduce the amount of maintenance payable to the respondents 1 and 2.

Learned counsel for the respondents 1 and 2 is absent and there is no representation on his behalf.

Considering the facts and circumstances of the case, the criminal revision case is disposed of in the following manner.

(i) This Court is not inclined to interfere with the maintenance amount payable to the second respondent as the said amount of Rs.5,000/- (Rupees five thousand only) per month is required for her educational expenses.

(ii) Insofar as the maintenance amount payable to the first respondent is concerned, this Court reduces the monthly maintenance amount to Rs.3,000/- (Rupees three thousand only) from Rs.5,000/- (Rupees five thousand only) and the petitioner is directed to pay Rs.3,000/- (Rupees three thousand only) per month to the first respondent, on or before 10th of every succeeding month;

(iii) The petitioner is also directed to pay the arrears of maintenance amount calculating at the rates mentioned above, in six equal monthly instalments; and

(iv) The trial Court is directed to dispose of M.C.No.19 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 Revision Case is disposed of. Consequently, the miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

30.06.2016
pln