

THE HON'BLE SRI JUSTICE RAJA ELANGO

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CRIMINAL REVISION CASE No.259 OF 2010

ORDER:

This Criminal Revision Case is filed by the petitioners-respondents, under Sections 397 and 401 Cr.P.C., challenging the order, dated 02.01.2010 passed in M.C. No.6 of 2007 by the Additional Metropolitan Sessions Judge for the trial of Jubilee Hills Car Bomb Blast Case cum Additional Family Court-cum-XXII Additional Chief Judge, Hyderabad, whereby the learned Judge directed the petitioners to pay Rs.2,000/- per month each to the 1st respondent as maintenance from the date of filing of the petition.

The 1st respondent is the mother of the petitioners. She filed M.C. No.6 of 2007 before the Court below against the petitioners seeking to grant maintenance at Rs.15,000/- per month. The marriage of the

1st respondent was performed in the year 1967 with one Lesley Meagher and they blessed with three sons. She worked as a Typist in ICRISAT.

As her husband did not shoulder the responsibility of the family and ditched her, the 1st respondent maintained the family with her earnings. The 1st respondent retired from her service and is suffering with old age ailments. Her three sons are earning more than Rs.30,000/- each per month and they neglected to maintain the 1st respondent. Therefore, she filed the present M.C. The Court below partly allowed the said M.C. directing the petitioners to pay Rs.2,000/- per month each to the

1st respondent as maintenance. Aggrieved by the same, the present revision is filed by the petitioners.

Heard and perused the material available on record.

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Learned counsel for the petitioners submitted that the 1st respondent filed DVC No.2 of 2009 against her husband before the learned IX Additional Chief Metropolitan Magistrate and the learned Magistrate directed the husband of the 1st respondent to pay Rs.5,000/- towards interim maintenance including residential and medical expenses and she is also getting Rs.1,500/- per month from her husband towards interim maintenance as per the orders in I.A.No.700 of 2006 in OP No.336 of 2006 on the file of Family Court, Hyderabad, and that she is having liquid cash and therefore, she is not entitled to claim maintenance from the petitioners.

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Learned counsel for the 1st respondent submitted that the 1st respondent is not having any source of income and her husband also died one year back and she is not getting any amount and that she is facing severe financial problems and she is a diabetic patient, and she needs regular medication and therefore, the petitioners are liable to maintain her.

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Considering the facts and circumstances of the case and also taking into consideration the submissions of both the learned counsel, this Court is inclined to pass the following order:

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The petitioners are directed to pay Rs.750/- (Rupees seven hundred and fifty only) per month each to the 1st respondent as maintenance on or before 10th of every succeeding month. The petitioners are also directed to pay the arrears of maintenance, if any, to the 1st respondent, at the same rate in three (3) equal installments, by deducting the amount, if any, already paid by them.

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With the above modification, the Criminal Revision Case is disposed of. Consequently, miscellaneous petitions pending, if any, shall stand closed.

July 20, 2016.
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RAJA ELANGO, J