

THE HONOURABLE SRI JUSTICE M.S.K.JAISWAL

Criminal Petition No.9899 of 2016

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ORDER:

This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C) by the petitioner seeking to quash the order, dated 26-11-2014 passed in CrI.M.P.No.413 of 2013 in M.C.No.73 of 2013 on the file of the Judge, Family Court-cum-IV Additional District & Sessions Judge, Vijayawada, wherein and whereby the learned Judge, Family Court allowed the petition filed by the Respondent Nos.1 to 3 herein claiming interim monthly maintenance and granted interim monthly allowance of Rs.1,000/- each to Respondent Nos.1 to 3 herein from the date of filing of the petition till disposal of M.C.

The learned counsel for the petitioner/respondent submits that the petitioner, being a poor labourer, is not in a position to pay monthly maintenance at that rate.

The 1st Respondent is the wife of the petitioner and she is aged about 27 years. The 2nd Respondent is the son of the petitioner and he is aged about 10 years and the 3rd Respondent is daughter of petitioner and she is aged about 7 years. Considering the present day cost of living and the study expenses of the children, granting of monthly maintenance of Rs.1,000/- each to Respondent Nos.1 to 3 is neither excessive nor exorbitant and it is just and reasonable. There are no grounds to interfere with the order impugned.

Accordingly, the Criminal Petition is dismissed.

Consequently, the miscellaneous petitions pending in this petition, if any, shall stand closed.

JUSTICE M.S.K.JAISWAL

11.07.2016
skmr