

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.658 of 2008

JUDGMENT:

1. This revision case is filed by the petitioner challenging the order dated 15.11.2006 passed by the Additional Metropolitan Sessions Judge for the trial of JHCBBC-cum-Additional Family Judge, Hyderabad in M.C.No.134 of 2005.

2. The petitioner is the husband of the 1st respondent and the father of respondents 2 and 3. The 1st respondent filed the above M.C. on her behalf and on behalf of her children claiming monthly maintenance from the petitioner. It is stated by her in the above M.C. that the petitioner and his family members harassed her for additional dowry and she was necked out from the matrimonial home and that the petitioner neglected the 1st respondent and her children and she has no means to maintain themselves. It is stated that the petitioner is earning more than Rs.8,000/- per month.

3. During the course of trial, the 1st respondent herein was examined as P.W.1. The petitioner herein was examined as R.W.1 and Ex.R.1 was marked on his behalf.

4. The trial Court after evaluating the evidence on record, partly allowed the above M.C. and awarded an amount of Rs.1,000/- to each of respondents No.1 to 3 towards monthly maintenance. Aggrieved by the same, the petitioner filed this revision.

5. Heard and perused the material available on record.

6. There is no dispute that the 1st respondent is the wife and respondents No.2 and 3 are the children of the petitioner. The 1st respondent has been living separately along with her children and she

is not able to maintain her children since she is not working anywhere. The petitioner neglected to maintain respondents Nos.1 to 3. After considering all the factual aspects and the earning capacity of the petitioner, the trial Court awarded monthly maintenance of Rs.1,000/- to each of respondents 1 to 3. The amount awarded by the trial Court is very meager. There are no grounds to interfere with the order of the trial Court. The revision case fails.

7. Accordingly, the Criminal Revision Case is dismissed. Miscellaneous petitions pending, if any, shall stand dismissed.

JUSTICE RAJA ELANGO

Dated:27th August, 2016

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