

HON'BLE Dr. JUSTICE B.SIVA SANKARA RAO

C.R.P.No.4814 OF 2016

ORDER :

Impugning the order dated 15.04.2015 of the Judge, Family Court, Secunderabad, passed in I.A.No.105 of 2015 in FC O.P.No.26 of 2015, this civil revision is maintained by the father of the petitioner/1st respondent against the petitioner and the 2nd respondent-Director, Accounts Department of the Prof.G.Ram Reddy Centre for Distance Education, Osmania University, Hyderabad.

The original petition was filed at the end of 2014 for the relief to declare the petitioner as indigent person and to direct the 2nd respondent to pay Rs.12,00,000/- to the petitioner towards marriage expenses from out of the benefits of the 1st respondent payable by the 2nd respondent.

The interim application i.e. I.A.No.105 of 2015 supra is with averments to direct the 2nd respondent to stop release of the retirement benefits of the 1st respondent till disposal of the main petition. Pursuant to which the impugned order passed exparte directing the 2nd respondent/Director, Accounts Department of the Prof. G.Ram Reddy Centre for Distance Education, Osmania University to stop release of retirement benefits. Since April, 2015 the retirement benefits therefrom stopped. Notice not served. According to the claim

of the revision petitioner in the very main petition trial is in progress and PW.1 already examined.

No doubt, it is the obligation of the father to cause perform the marriage of his daughter, who completed B.Tech and searching for avocation and equally he got the obligation to take care of his aged and infirm parents, besides himself apart from meeting the maintenance claim of his wife and any care of the other major son, who is shown studying final year B.Tech.

Having regard to the above, instead of stopping entire terminal benefits other than pension pending adjudication of the main lis, this Court feels it is just to modify the order withholding entire terminal benefits into withholding of only half of the benefits other than pension, so as to receive the remaining by him.

With the above observation, this revision petition is disposed of. There shall be no order as to costs.

As a sequel, miscellaneous petitions pending, if any, in the revision shall stand closed.

Dr. B. SIVA SANKARA RAO, J

21.11.2016
kvrn