

THE HON'BLE SRI JUSTICE RAJA ELANGO

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CRIMINAL REVISION CASE No.657 OF 2013

ORDER:

This Criminal Revision Case is filed by the petitioner, under Sections 397 and 401 Cr.P.C., challenging the order, dated 22.01.2013 passed in M.C. No.2 of 2011 by the Family Court-cum-Additional District & Sessions Judge, Nalgonda, whereby the learned Judge directed the petitioner to pay Rs.9,000/- per month to the 2nd respondent as maintenance from the date of that order.

The 2nd respondent is the wife of the petitioner. She filed M.C. No.2 of 2011 before the Court below against the petitioner seeking to grant maintenance at Rs.10,000/- per month. The Court below partly allowed the said application granting maintenance at Rs.9,000/- per month to the 2nd respondent. Aggrieved by the same, the present revision is filed by the petitioner.

Heard and perused the material available on record.

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Learned counsel for the petitioner submitted that on the earlier occasion also the 2nd respondent filed MC in the year 1994 and an amount of Rs.425/- per month was awarded by this Court as maintenance and the 2nd respondent also filed a case for the offence under Section 498-A IPC against the petitioner and the same was ended in acquittal. He further submitted that thereafter, the petitioner and the 2nd respondent entered into a compromise and started living together, but due to some unavoidable circumstances the 2nd respondent could not able to lead her life with the petitioner and left his company and filed the present MC seeking maintenance. He further submitted that the petitioner is suffering with ill-health and he has to maintain his old aged parents and that the 2nd respondent is a

highly educated woman and she is working as a Teacher in a private school.

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Learned counsel for the 2nd respondent submitted that even though the 2nd respondent is educated, she is not an earning member and that the petitioner herein is a Medical Practitioner in NTPC and getting a salary of Rs.60,000/- per month, after deductions.

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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 petitioner is directed to pay a sum of Rs.7,000/- (Rupees seven thousand only) per month to the 2nd respondent as maintenance, on or before 10th of every succeeding month, from the date of the order under challenge. The petitioner is also directed to pay the arrears of maintenance, if any, to the 2nd respondent, at the same rate in six (6) equal installments, by deducting the amount already paid by him.

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

RAJA ELANGO, J

July 20, 2016.
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