

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL REVISION CASE No.2817 OF 2016

ORDER:

This Criminal Revision Case is filed under Sections 397 and 401 of Cr.P.C. challenging the order dated 20.09.2016 passed in CrI.M.P.No.586 of 2016 in F.C.M.C.No.20 of 2016 on the file of the Judge, Family Court-cum-Additional District and Sessions Court, Vizianagaram.

2. Heard the learned counsel for the petitioner and the learned counsel for respondent Nos.2 and 3.

3. For the sake of convenience, the parties are hereinafter referred to as they are arrayed in the F.C.M.C. before the trial Court.

4. There is no dispute between the parties with regard to their *inter se* relationship. The petitioners filed F.C.M.C.No.20 of 2016 on the file of the Judge, Family Court, Vizianagaram, seeking maintenance. Pending the main case, the petitioners filed CrI.M.P.No.586 of 2016 in F.C.M.C.No.20 of 2016 seeking interim maintenance of Rs.10,000/- per month by the first petitioner and Rs.5,000/- per month by the second petitioner from the respondent. After affording a reasonable opportunity to both the parties, the trial Court allowed the petition by granting maintenance of Rs.3,000/- per month to the first petitioner and Rs.2,000/- per month to the second petitioner. In view of pendency of F.C.M.C.No.20 of 2016, this Court is not inclined to express any opinion touching the merits of the main case.

5. Learned counsel for both the parties submitted that the trial Court may be directed to dispose of F.C.M.C.No.20 of 2016 as expeditiously as possible.

6. Having regard to the facts and circumstances of the case, this Court is of the considered view that granting of interim maintenance of an amount of Rs.2,000/- per month each to the petitioners is just and reasonable.

7. Taking into consideration the facts and circumstances of the case, the Judge, Family Court-cum-Additional District and Sessions Court, Vizianagaram, is hereby directed to dispose of F.C.M.C.No.20 of 2016, as expeditiously as possible, preferably within a period of six (6) months from the date of receipt of a copy of this order. The respondent is hereby directed to pay interim maintenance of Rs.2,000/- per month each to the petitioners regularly. If the respondent fails to pay the amount, the petitioners are at liberty to take appropriate steps for recovery of the maintenance.

8. With the above directions, the Criminal Revision Case is disposed of. Consequently, Miscellaneous Petitions, if any, pending in this Criminal Revision Case shall stand closed.

T.SUNIL CHOWDARY, J

Date: 15.12.2016
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