

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.2240 of 2016

ORDER:

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1. This Criminal Petition is filed by the petitioner seeking to set aside the order dated 31.12.2015 passed in CrI.M.P.No.1760 of 2015 in M.C.No.161 of 2015 by the Additional Metropolitan Sessions Judge for the trial of JHCBBC-cum-Additional Family Court-cum-XXIII Additional Chief Judge, Hyderabad.

2. The 2nd respondent, who is the wife of the petitioner, filed the above M.C. on her behalf and on behalf of her children-respondents 3 and 4 against the petitioner, claiming maintenance. Along with the above M.C., the 2nd respondent-wife also filed the above CrI.M.P. seeking to grant interim maintenance of Rs.20,000/- per month to her and Rs.15,000/- p.m., to each of her two children. The learned trial Judge allowed the petition directing the petitioner to pay an amount of Rs.6,000/- p.m., to the 2nd respondent and Rs.3,000/- per month to each of respondents 3 and 4 from the date of filing of the petition. Aggrieved by the same, the petitioner-husband filed the present petition.

3. Heard and perused the material available on record.

4. There is no dispute as to the relationship between the parties. In view of the same and in view of the pendency of the main case, without expressing any opinion on the merits of the case, this Criminal Petition is disposed of with the following direction:

I) The petitioner is directed to pay Rs.3,000/- per month to the 2nd respondent and Rs.1,500/- per month to each of respondents 3 and 4 towards interim maintenance on or before 10th of every succeeding month till disposal of the above M.C.;

II) The petitioner is directed to pay the arrears of maintenance at the rate fixed by this Court from the date of filing of the petition i.e., CrI.M.P No.1760 of 2015, within a period of three months from the date of receipt of a copy of this order;

III) The trial Court is directed to dispose of the above M.C., as expeditiously as possible, without being influenced by the above order.

Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Dated: 24th February, 2016

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