

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL REVISION CASE No. 743 of 2014

ORDER:

The present Criminal Revision case is filed assailing the order dated 28.01.2014 passed in M.P.No.11 of 2014 in O.P.No.99 of 2014 on the file of the Judge, Additional Family Court, Visakhapatnam, wherein the trial Court awarded interim maintenance of Rs.10,000/- to the first petitioner and Rs.5,000/- to the second petitioner and Rs.2,000/- to the third petitioner therein.

The facts in issue are as under:

The petitioner is the husband of respondent No.1 and father of respondent Nos.2 and 3. It is stated in the petition that the petitioner herein harassed respondent No.1 both physically and mentally for additional dowry and finally necked her out on 28.08.2013 along with her children. Having no other option she along with her children filed O.P.No.99 of 2014 seeking maintenance. Along with the main O.P. they also filed M.P.No.11 of 2014 seeking interim maintenance. By an order dated 28.01.2014 the trial Court awarded Rs.10,000/- to respondent No.1, Rs.3,000/- to respondent No.2 and Rs.2,000/- to respondent No.3 herein. Challenging the same the petitioner-husband filed the present revision.

It is not in dispute that the main O.P. is still pending consideration. Challenging the order of interim maintenance, the petitioner filed the present revision. On 07.04.2014 this Court while admitting the revision granted interim stay of the impugned order subject to the condition of petitioner depositing interim maintenance at half of the amount as awarded by the Family Court, Visakhapatnam, payable on or before 15th of every month commencing from April, 2014

and that the petitioner shall pay arrears calculated at the same rate within six weeks from that day. Thereafter CrI.R.C.M.P.No.2637 of 2014 came to be filed praying to vacate the stay order.

Today when the matter is taken up for hearing, learned counsel for the petitioner submits that the interim order came to be passed without hearing the petitioner. Having regard to the fact that the petitioner is paying Rs.7,500/- per month to the respondents and since the main O.P. is still pending, the trial Court is directed to dispose of O.P.No.99 of 2014 as expeditiously as possible, preferably, within a period of three (03) months from the date of receipt of a copy of the order. Till such time the petitioner shall continue to pay the maintenance at Rs.7,500/- per month to respondents.

With the above direction, the Criminal Revision Case is disposed of. Miscellaneous petitions, if any, pending, shall stand closed.

C. PRAVEEN KUMAR, J

08.03.2016

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