

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.4895 OF 2016

-
ORDER:

-
This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C.) to set aside the order dated 30.11.2015 passed in CrI.A.P.No.889 of 2015 on the file of the court of the Additional Metropolitan Sessions Court, Cyberabad at L.B.Nagar, Ranga Reddy District, whereby the learned Sessions Judge modified the order, dated 19.08.2015 passed in CrI.M.P.No.890 of 2015 in D.V.C.No.18 of 2015 by the VII Metropolitan Magistrate Court (FAC), Cyberabad, at Hayathnagar.

Heard and perused the material available on record.

The case of the prosecution is as follows. The respondents 2 to 4 herein have filed petition under Domestic Violence Act against the petitioner herein seeking maintenance and the trial Court directed the petitioner herein to pay an amount of Rs.2,000/- (Rupees two thousand only) per month towards rent and Rs.2,000/- (Rupees two thousand only) per month to each of the petitioners towards maintenance amount. Aggrieved over the same, he has filed CrI.A.P.No.889 of 2015 before the lower appellate Court and that the lower appellate Court set aside the order to the extent of Rs.2,000/- (Rupees two thousand only) per month towards rent and confirmed rest of the order of the trial Court. Aggrieved over the same, the present criminal petition is filed.

Learned counsel for the petitioner submits that the petitioner herein is unable to pay the interim maintenance amount as ordered by the Courts below and as such, prays this Court to reduce the maintenance amount.

This Court is not inclined to interfere with the maintenance amount as ordered by the trial Court, which is modified by the lower appellate Court. However, the lower appellate Court is directed to dispose of the CrI.A.P.No.889 of 2015 as expeditiously as possible,

preferably within a period of six months.

The Criminal Petition is accordingly disposed of. Consequently, miscellaneous petitions, if any, pending, shall stand closed.

JUSTICE RAJA ELANGO

06.04.2016

pln