

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL REVISION CASE No. 3046 of 2015

ORDER:

Aggrieved by the order dated 10.09.2015 passed in Criminal Appeal No.3 of 2014 on the file of the II Additional Sessions Judge, Kurnool at Adoni, the present Criminal Revision Case is filed.

A perusal of the material on record would show that the second respondent herein filed D.V.C.No.1 of 2011 seeking various reliefs. By an order dated 28.03.2013 the said D.V.C. was partly allowed granting protection order directing the first respondent therein or anybody on his behalf from causing any threat to her or her relatives and directing him not to commit any acts of domestic violence; to pay monthly maintenance at Rs.3,000/- from the date of order and further directed to pay compensation of RS.20,000/- to the complainant. Aggrieved by the same, the petitioner herein preferred CrI.A.No.3 of 2014. The said appeal came to be dismissed on 10.09.2015 on the ground that the petitioner absent and there is no representation on his behalf. Challenging the same the present revision is filed.

Learned counsel for the petitioner submits that due to communication gap the petitioner could not appear before the appellate court. He submits that an opportunity may be given to the petitioner to contest the matter on merits. Learned counsel for the respondents opposed the same.

Having regard to the facts and circumstances of the case and since the order passed by the appellate Court was not on merits, it would be appropriate to remand the matter back for

disposal of the case on merits.

Accordingly, the Criminal Revision Case is disposed of by setting aside the order dated 10.09.2015 passed in CrI.A.No.3 of 2014 on the file of the II Additional Sessions Judge, Kurnool at Adoni, directing the said Court to hear both the parties and pass orders on merits in accordance with law as early as possible, preferably, within a period of three (03) months from the date of receipt of a copy of the order. Miscellaneous petitions, if any, pending, shall stands closed.

C. PRAVEEN KUMAR, J

14.03.2016

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