

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL REVISION CASE No.835 of 2016

ORDER:

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The present revision is filed under Sections 397 read with 401 Cr.P.C. aggrieved by the order dated 03.03.2016 passed in Crl.M.P.No.207 of 2016 in Crl.M.P.No.2603 of 2015 in D.V.C.No.33 of 2015 on the file of the IX Metropolitan Magistrate, Cyberabad at Kukatpally, wherein and whereunder the salary of the petitioner to a tune of Rs.80,000/- was attached and to remit the same every month to the account of his wife.

Though various grounds are raised, the grievance of the petitioner is that though he filed an application to *set-aside* an *ex parte* order but the same is not being disposed of. According to him, the said application came to be numbered only on 16.03.2016 as Crl.M.P.No.255 of 2016 though the same was filed on 13.11.2015 and as such he seeks a direction for an early disposal of the said application.

Learned counsel appearing for the first respondent submits that such an application itself is not maintainable since the petitioner has to prefer an appeal under Section 29 of the Protection of Women from Domestic Violence Act, 2005 against an order passed in Crl.M.P.No.2603 of 2015.

Without going into the merits of the case and having regard to the request made, the Criminal Revision Case is disposed of, directing the IX Metropolitan Magistrate, Cyberabad, Kukatpally, to dispose of Crl.M.P.No.255 of 2016, 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 stand closed.

JUSTICE C. PRAVEEN KUMAR

18.03.2016

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