

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.9845 of 2016

ORDER

This Criminal Petition is filed under Section 482 Cr.P.C. to direct respondent No.1 herein to deposit an amount of Rs.54,000/- before this Court, failing which to send respondent No.1 to Civil Prison.

2. Heard.

3. The prayer of the petitioner in this Criminal Petition is not maintainable for the reason that he already filed Crl.M.P.No.91 of 2015 on the file of Family Court at Karimnagar, seeking arrears of maintenance of Rs.54,000/- and the same is pending. The docket order in Crl.M.P.No.91 of 2015 filed before this Court clearly shows that respondent No.1 herein paid a sum of Rs.4,500/-, Rs.2,000/- and Rs.2,000/- to the petitioner on 29.02.2016, 28.03.2016 and 09.04.2016 respectively. Hence, the request of the petitioner to direct respondent No.1 herein to pay the arrears of maintenance cannot be countenanced in this Criminal Petition, as the said request has already been made before the Family Court, by filing a petition in Crl.M.P.No.91 of 2015 and the same is pending. Hence, this Criminal Petition is liable to be dismissed.

4. Accordingly, this Criminal Petition is dismissed. However, the learned Judge, Family Court, Karimnagar, is directed to dispose of Crl.M.P.No.91 of 2015, within a period of two(2) months from today.

5. Miscellaneous petitions, if any, pending in this Criminal Petition shall stand closed.

M.S.K.JAISWAL,J

Date:12.07.2016

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