

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

CRL.P.NO.8904 OF 2016

ORDER

The petitioner is the husband of 2nd respondent – wife. The 2nd respondent filed D.V.C.No.13 of 2013 on the file of II Metropolitan Magistrate, Rangareddy District against the petitioner and the same is pending. Apart from other allegations, the claim of the petitioner is that his minor daughter Akshaya, who is aged about six years, and staying with the 2nd respondent and studying at Johnson Grammar School, is suffering from problem with her eyes and that he intends to take her to an ophthalmologist for treatment. Therefore, he has filed Crl. M.P.No.1464 of 2015 in DVC.No.13 of 2013 for visitation rights and the 2nd respondent has filed a counter affidavit for rejecting the relief sought for by the petitioner. The grievance of the petitioner is that the trial court is not disposing of the miscellaneous petition and therefore, filed the present petition under Section 482 Cr.P.C. to permit him to take their daughter to an eye specialist during the school hours and drop the child back at school along with the child's mother or any staff of the school in the interest of the child's health and to direct the trial court to pass orders in Crl.M.P.No.1464 of 2015 in DVC.No.13 of 2013.

Heard the counsel for the petitioner and the learned Additional Public Prosecutor, representing the State.

In the facts and circumstances of the case and as requested by the learned counsel for the petitioners, the criminal petition is disposed of, directing the trial court to dispose of Crl.M.P.No.1464 of 2015 in DVC.No.13 of 2013 within a period of fifteen days from the date of receipt of a copy of this order.

Pending miscellaneous applications, if any, shall stand closed. No costs.

M.S.K.JAISWAL,J

DATE:23.06.2016