

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.12417 OF 2015

-
ORDER:

-
This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C) by the petitioner seeking to direct the Court of Additional Judicial Magistrate of First Class, Karimnagar to dispose of Crl.M.P. No.2908 of 2014 in M.C. No.17 of 2005 filed by the petitioner for claiming arrears of maintenance.

Heard and perused the material available on record.

The petitioner is the wife of 2nd respondent. They blessed with a son. The petitioner filed MC No.17 of 2005 against her husband seeking maintenance at Rs.4,000/- to her and Rs.2,000/- to her son. The Court below has partly allowed the MC, granting Rs.1,500/- and Rs.1,000/- to the petitioner and her son, respectively. Thereafter, the 2nd failed to pay the maintenance amount to the petitioner as ordered by the Court below. Hence, she filed Crl.M.P. No.2908 of 2014 before the Court below claiming arrears, calculating at Rs.1,09,500/-, and also costs at Rs.2,000/-.

Admittedly, the respondent has to pay Rs.1,11,500/- as per the calculation filed by the petitioner, out of which the petitioner has paid Rs.25,000/-. For the remaining amount, the Court below has not passed any orders till date. Hence, it is prayed by the petitioner to direct the Court below to pass appropriate orders as expeditiously as possible.

Considering the facts and circumstances of the case and also taking into consideration that the matter is pending for a long period, the Court below is directed to dispose of Crl.M.P.

No.2908 of 2014 in MC No.17 of 2005 on or before 15.03.2016. If there is no such application pending before the Court below, the petitioner is directed to file a fresh application and such application being filed, the Court below is directed to dispose of the same on or before 15.03.2016.

With the above directions, the Criminal Petition is disposed of. Consequently, miscellaneous petitions pending if any, shall stand closed.

RAJA ELANGO, J

February 18, 2016.

KTL