

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.3518 OF 2016

ORDER:

1. This Criminal Petition is filed by the petitioner seeking to set aside the order dated 15.06.2015 passed in CrI.M.P.No.829 of 2012 in M.C.No.201 of 2012 by the Family Court, Ranga Reddy District.

2. The 1st respondent, who is the wife of the petitioner, filed the above M.C. on her behalf and on behalf of her son-respondent No.2 against the petitioner claiming maintenance. During the pendency of the above M.C., the 1st respondent-wife filed the above CrI.M.P. seeking to grant interim maintenance to her and to her son at the rate of Rs.5,000/- per month each. The trial Court allowed the petition directing the petitioner to pay an amount of Rs.5,000/- p.m., to each of respondents 1 and 2 from the date of the order. Aggrieved by the same, the petitioner-husband filed the present petition.

3. Heard and perused the material available on record.

4. There is no dispute as to the relationship between the parties. It was brought to the notice of this Court that NBWs are pending against the petitioner. Considering the facts and circumstances of the case and in view of the pendency of the main case, without expressing any opinion on the merits of the case, this Criminal Petition is disposed of with the following direction:

I) The petitioner is directed to pay Rs.2,500/- per month to each of respondents 1 and 2 towards interim maintenance on or before 10th of every succeeding month till disposal of the above M.C.;

II) The petitioner is directed to pay the arrears of maintenance at the rate fixed by this Court from the date of the order of the trial Court.

(III) The petitioner is directed to file an application before the trial Court to recall NBWs issued against him and on such application being filed, the trial Court is directed to recall NBWs issued against him on condition of the petitioner paying Rs.30,000/- (Rupees Thirty

thousand only) towards arrears of maintenance. The petitioner is directed to pay the remaining arrear amount, if any, within a period of six months from the date of the order of the trial Court on the recall petition that would be filed by him.

(IV) The trial Court is directed to dispose of the above M.C., as expeditiously as possible, without being influenced by the above order.

Miscellaneous petitions pending, if any in this petition, shall stand closed.

JUSTICE RAJA ELANGO

Date : 16.3.2016
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HONOURABLE SRI JUSTICE RAJA ELANGO

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DATED 16.3.2016

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