

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.1056 of 2016

ORDER:

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1. This Criminal Petition is filed by the petitioner aggrieved by the order dated 30.10.2015 passed in C.R.P.No.4 of 2015 whereby the learned VIII Additional District and Sessions Judge-cum-Judge, Family Court, Ongole reduced the interim maintenance from Rs.10,000/- to Rs.8,000/- that was fixed by II Additional Judicial Magistrate of First Class, Ongole in CrI.M.P.No.4521 of 2014 in DVC No.25 of 2014 dated 7.11.2014.

2. The 1st respondent, who is the wife of the petitioner, filed the above DVC on her behalf and on behalf of her minor son, against the petitioner, claiming maintenance. Along with the above DVC, the 1st respondent-wife also filed the above CrI.M.P. seeking to grant interim maintenance of Rs.10,000/- per month to each of them. The learned trial Judge allowed the petition directing the petitioner to pay an amount of Rs.10,000/- p.m. to both the wife and son from the date of the order. On revision, the Court below reduced to Rs.8,000/- per month. Not satisfied with the reduction of quantum of amount, the petitioner-husband filed this petition.

3. Heard and perused the material available on record.

4. There is no dispute as to the relationship between the parties. In view of the same and in view of the pendency of the main case, without expression any opinion on the merits of the case, this petition is disposed of with the following direction:

1) The petitioner is directed to pay Rs.5,000/- per month towards maintenance to the respondents 1 and 2 on or before 10th of every

succeeding month till disposal of the above DVC.;

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, within a period of three months from the date of receipt of a copy of this order;

III) The trial Court is directed to dispose of the above DVC, as expeditiously as possible, without being influenced by the above order.

Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

06th April, 2016

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