

THE HON'BLE SRI JUSTICE RAJA ELANGO

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CRIMINAL PETITION No.3688 OF 2016

ORDER:

This Criminal is filed by the petitioner, under Section 482 Cr.P.C., challenging the order, dated 22.02.2016 in DVC.Appeal No.773 of 2015 passed by the IV Additional Metropolitan Sessions Judge, Hyderabad, whereby the learned Sessions Judge dismissed the appeal filed by the petitioner and confirmed the order, dated 04.09.2015, in CrI.MP No.634 of 2015 in DVC No.36 of 2015 passed by the I-Metropolitan Magistrate, Hyderabad, directing the petitioner to pay Rs.3,000/- per month to the 2nd respondent as interim maintenance.

The 2nd respondent is the wife of the petitioner. She filed DVC No.36 of 2015 before the trial Court seeking maintenance. She also filed CrI.M.P. No.634 of 2015 before the trial Court against the petitioner seeking interim maintenance at Rs.20,000/- per month, pending disposal of the DVC. The trial Court partly allowed the said application granting interim maintenance at Rs.3,000/- per month to the 2nd respondent. The petitioner challenged the said order in DVC Appeal No.773 of 2015 before the IV Additional Metropolitan Sessions Judge, Hyderabad. The learned Sessions Judge dismissed the said appeal and confirmed the order passed by the trial Court. Aggrieved by the same, the present petition is filed.

Heard and perused the material available on record.

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Having regard to the facts and circumstances of the case, without expressing any opinion on the merits of the case, this Criminal Petition is disposed of modifying the impugned order, as follows:

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The petitioner is directed to pay interim maintenance at the rate

of Rs. 1,500/- per month to the 2nd respondent from the date of the above application till disposal of DVC. He is also directed to pay the said maintenance amount on or before 10th of every succeeding month and also the arrears if any, calculating at the same rate, within three months from the date of receipt of a copy of this order. The trial Court is directed to dispose of the DVC, as expeditiously as possible without being influenced by this order and the impugned order.

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

RAJA ELANGO, J

March 21, 2016.
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