

THE HONOURABLE SRI JUSTICE RAJA ELANGO

Crl.R.C.No.509 of 2016

JUDGMENT

This revision is directed against the common judgment dated 09.11.2015 passed in D.V.C.Crl.A.Nos.740 and 741 of 2014 on the file of II Additional Metropolitan Sessions Judge, Hyderabad.

2. The first respondent herein filed DVC No.139 of 2013 against the petitioner. During the pendency of the said case, she filed Crl.M.P.Nos.465 of 2014 and 1634 of 2013 with a common prayer to grant interim maintenance of Rs.32,000/- to the petitioner and her minor daughter and to direct the petitioner to provide shelter in his own flat at Kalyana Nagar, Hyderabad. By order dated 19.06.2014, the trial Court while dismissing the petition filed by the first respondent allowed in respect of the minor daughter directing the petitioner to pay all her school expenditure including the transportation charges for her studies and also pay a sum of Rs.10,000/- per month towards her maintenance from the date of petition i.e., 22.10.2013. Challenging the same, the petitioner filed appeals. By the order impugned, the appellate Court modified the common order passed by the trial Court confirming the interim maintenance granted at the rate of Rs.10,000/-per month to the minor daughter from the date of petition i.e., 22.10.2013 and setting aside the direction of the trial Court to the petitioner to pay all the school expenditure including the transport charges of his daughter. Aggrieved by the same, the petitioner filed the present revision.

3. Heard and perused the material on record.

4. The relationship between the parties is not in dispute. The appellate Court, after taking the various circumstances into consideration, confirmed the interim maintenance granted by the trial Court at the rate of Rs.10,000/-per month to the minor daughter. Apparently, the order impugned is an interim in nature. Therefore, without expressing any opinion on merits of the matter, the trial Court is directed to dispose of D.V.C.No.139 of 2013 within a period of three months from the date of receipt of a copy of this order. Till such time, the petitioner is directed to pay a sum of Rs.6,000/- per month to the minor daughter towards interim maintenance on or before 10th of every succeeding month. The petitioner is further directed to pay the arrears, if any, to the minor daughter calculating at the rate fixed by this Court in three equal monthly installments commencing from the month of March, 2016. The payments, if any made, have to be adjusted accordingly. The trial Court shall dispose of the said M.C. on merits without being influenced by the observations of this Court.

5. Accordingly, the Criminal Revision Case is disposed of. Miscellaneous petitions, if any, pending in this revision shall stand closed.

JUSTICE RAJA ELANGO

11th February, 2016

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