

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.621 of 2016

ORDER:

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This Criminal Petition is filed by the petitioner aggrieved by the order dated 29.7.2015 passed in CrI.M.P.No.98 of 2015 in M.C.No.77 of 2012 by the Judge, Family Court, Secunderabad to the extent of imposing the condition "depositing at least 50% of the arrears of maintenance awarded on 24.7.2013 by 30.09.2015".

The trial Court by ex parte order dated 24.7.2015 directed the petitioner herein to pay a sum of Rs.4,500/- per month to the wife-second respondent herein towards monthly maintenance commencing from August, 2013. Subsequently, the petitioner herein filed the above application seeking to set aside the ex parte order. The trial Court while allowing the application directed the petitioner to deposit at least 50% of arrears of maintenance awarded on 24.7.2013 by 30.9.2015.

Now the learned counsel for the petitioner submitted that the petitioner is ready to deposit the 50% of arrears of maintenance as directed by the trial Court excluding the amount already paid by the petitioner.

Considering the facts and circumstances of the case, the petitioner herein is directed to deposit 50% of arrears of maintenance before the trial Court excluding the amount already paid, on or before 31.05.2016. On such payment, the trial Court is directed to restore the M.C. to its file and proceed with the trial and dispose of the same in accordance with law.

The Criminal Petition is disposed of accordingly.

Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

31st March, 2016

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