

HON' BLE SRI JUSTICE SURESH KUMAR KAIT

Civil Revision Petition No.3202 of 2016

ORDER:

The petitioner, being aggrieved by the order dated 09.03.2016 passed in EA No.278 of 2015 in EP No.63 of 2012 in PLC No.2115 of 2007 on the file of the III Additional District Judge, Guntur, filed the present revision petition, wherein attachment of the salary of the petitioner was ordered.

2. Pursuant to the order dated 25.07.2016 of this court, both parties are present. It is not in dispute that vide order in PLC No.2115 of 2007, the District Legal Services Authority, Guntur, ordered the petitioner to pay maintenance of Rs.4000/- per month to the 1st respondent. However, the petitioner failed to pay the aforesaid maintenance amount. Due to which, the 1st respondent filed EP No.63 of 2012 by seeking attachment of amount of the petitioner lying with the 2nd respondent bank. Accordingly, attachment order was passed.

3. It is agreed by the 1st respondent, who is personally present in the court, that let the petitioner starts making payment of Rs.4000/- per month, as directed by the District Legal Services Authority in PLC No.2115 of 2007 and for the balance amount, let him to continue to pay as arrears at the rate of Rs.5000/- per month till the arrears amount is completed.

4. The petitioner, who is present in court, has undertaken that he shall pay an amount of Rs.9,000/- per month to the 1st respondent i.e., an amount of Rs.4000/- towards monthly maintenance and Rs.5000/- towards arrears of maintenance.

5. In view of the statements made by both the parties, I hereby direct the petitioner to pay an amount of Rs.9,000/- (Rupees nine thousand only) per month in favour of the 1st respondent. I hereby made it clear that if the petitioner committed any default in making payment, the 1st respondent shall entitle for an amount of Rs.1000/- extra per month.

6. In view of the above direction, the impugned order is hereby set aside and the civil revision petition is disposed of. No order as to costs. Pending miscellaneous petitions, if any, in this petition, shall stand closed.

Date: 07.09.2016
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SURESH KUMAR KAIT, J



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Date: 07.09.2016

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