

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.5739 OF 2016

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ORDER:
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1. This Criminal Petition is filed by the petitioner seeking to quash the order dated 4.3.2016 passed in CrI.M.P.No.1458 of 2015 in M.C.No.145 of 2015 by the Additional Metropolitan Sessions Judge for the trial of JHCBBC –cum-Additional Family Court-cum-XXIII Additional Chief Judge, Hyderabad.

2. The 1st respondent, who is the wife of the petitioner, filed the above M.C. on her behalf and on behalf of her two children-respondents 2 and 3 claiming maintenance from the petitioner. During the pendency of the above M.C. she filed the above CrI.M.P. on her behalf and on behalf of her children seeking to grant interim maintenance at the rate of Rs.50,000/- per month to them pending disposal of the above M.C. The trial Court allowed the petition directing the petitioner to pay an amount of Rs.7,000/- p.m., to the 1st respondent and Rs.3,000/- per month to each of respondents 2 & 3 towards interim maintenance from the date of filing of the petition viz., 19.10.2015 till disposal of the M.C. Aggrieved by the same, the petitioner filed the present 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 expressing any opinion on the merits of the case, this Criminal Petition is disposed of with the following direction:

l) The petitioner is directed to pay Rs.3,500/- per month to the 1st respondent and Rs.1,500/- per month to each of respondents 2 & 3 towards interim maintenance on or before 10th of every succeeding

month till disposal of the above M.C.;

II) The petitioner is directed to pay the arrears of maintenance at the rate fixed by this Court from 19.10.2015, 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 M.C., as expeditiously as possible, without being influenced by the above order.

Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Date : 21.4.2016

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HONOURABLE SRI JUSTICE RAJA ELANGO

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DATED 21.4.2016

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