

THE HONOURABLE SRI JUSTICE RAJA ELANGO

Crl.P.No.6088 of 2016

ORDER

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The present criminal petition under Section 482 Cr.P.C. is filed seeking to quash the order dated 06.02.2016 passed in Crl.M.P.No.58 of 2015 in M.C.No.14 of 2015 by the learned Judge, Family Court-cum-Additional District and Sessions Judge, Nalgonda.

2. Heard and perused the material on record.

3. During the pendency of M.C.No.14 of 2015, the first and second respondents being the wife and son of petitioner filed Crl.M.P.No.58 of 2015 claiming interim maintenance at the rate of Rs.25,000/-per month each to them. The trial Court after considering the sufficient means of the petitioner, granted interim maintenance at the rate of Rs.4,000/- per month each to the first and second respondents from the date of the petition till disposal of the maintenance case. Aggrieved by the same, the petitioner filed the present petition.

4. The relationship between the parties is not in dispute. The trial Court, after taking the various circumstances into consideration, granted the said interim maintenance to the first and second respondents. 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 M.C.No.14 of 2015 within a period of six 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.2,000/-per month each to the first and second respondents towards interim maintenance on or before 10th of every succeeding month. The petitioner is further directed to pay the arrears, if any, to the first and second respondents calculating at the rate fixed by this Court in three equal monthly installments commencing from the month of May, 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. With the above said modification of the impugned order, the Criminal Petition is disposed of. Miscellaneous petitions, if any pending in this petition, shall stand closed.

JUSTICE RAJA ELANGO

25th April, 2016

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