

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL REVISION CASE NO.2778 OF 2016

ORDER:

This Criminal Revision Case is filed under Sections 397 and 401 Cr.P.C. challenging the docket order, dated 06.10.2016 in M.C.No.51 of 2015 on the file of the Special Magistrate, at Nandyal, Kurnool District.

2. Heard both the counsel.

3. The respondent herein filed the above M.C. before the Judl. Magistrate of I Class, Nandyal, against the petitioner herein under Section 125 Cr.P.C. claiming maintenance. Subsequently, the case was transferred to Special Magistrate, Nandyal. For one reason or the other, as the petitioner herein could not attend the Court on 13.05.2016, the trial Court set the petitioner as *ex parte*. The petitioner herein filed CrI.M.P.No.3629 of 2016 to set aside the *ex parte* order, dated 15.05.2016. The said petition was allowed on 06.10.2016 subject to payment of costs of Rs.20,000/- on or before 08.11.2016.

4. The only grievance of the petitioner is that the trial Court while allowing the petition, imposed costs of Rs.20,000/-.

5. Taking into facts and circumstances of the case, the petitioner is hereby directed to deposit an amount of Rs.20,000/- to the credit of above M.C. on or before 16.12.2016 and on such deposit only, the trial Court is directed to proceed with the main M.C. If the petitioner fails to deposit the amount as directed above, the trial Court is at liberty to proceed with the main M.C. in accordance with law.

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

T.SUNIL CHOWDARY, J

DATED: 01-12-2016.

Hsd