

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.1646 of 2016

ORDER:

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1. This Criminal Revision Case is filed by the petitioner aggrieved by the order dated 24.3.2016 passed in M.C.No.99 of 2011 by the Family Court, L.B. Nagar, Ranga Reddy District.

2. The 1st respondent, who is the wife of the petitioner, filed the above M.C. against the petitioner, on her behalf and on behalf of her son, claiming maintenance of Rs.10,000/- per month to her and Rs.5,000/- to her son-2nd respondent. The learned trial Judge after conducting trial, allowed the petition in part directing the petitioner to pay an amount of Rs.6,000/- p.m., to the 1st respondent and Rs.4,000/- per month to the 2nd respondent from the date of filing of the above M.C. Aggrieved by the same, the petitioner-husband filed the present revision.

3. Heard and perused the material available on record.

4. There is no dispute as to the relationship between the parties. The trial Court after considering the earning capacity of the petitioner granted maintenance to respondents Nos.1 and 2. From the order under revision, it is obvious that the petitioner is earning not less than Rs.25,000/- per month. In view of the same and considering the order under revision, this Court is of the view that respondents Nos.1 and 2 are entitled for maintenance.

5. At this stage, the learned Counsel for the petitioner submitted that the petitioner has to maintain his age-old parents and he is staying in a rented house and therefore, the maintenance granted by the trial Court may be reduced.

6. In the above circumstances, this Court is inclined to pass the following order:

I) The petitioner is directed to pay Rs.3,000/- per month to the 1st respondent towards maintenance on or before 10th of every succeeding month. Accordingly, the monthly maintenance granted to the 1st respondent is modified.

II) The petitioner is directed to pay Rs.4,000/- per month towards maintenance to the 2nd respondent as ordered by the trial Court on or before 10th of every succeeding month;

III) The arrears of maintenance at the rate fixed by this Court shall be paid to respondents Nos.1 and 2 from the date of filing of the above M.C. within a period of three months from the date of receipt of a copy of this order;

III) Rest of the order under revision shall remain.

7. With the above modifications, the Criminal Revision Case is disposed of. Consequently, Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Dated: 27th June, 2016

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