

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL REVISION CASE No.217 of 2016

ORDER :

The present Criminal Revision Case is filed under Sections 397 and 401 of the Code of Criminal Procedure (Cr.P.C.), against the order dated 02.12.2015 passed in M.C.No.125 of 2010 on the file of the Judge, Family Court at L.B.Nagar, Ranga Reddy District.

The facts in issue are as under:

Respondents 1 and 2 herein filed M.C.No.125 of 2010 seeking maintenance of Rs.5,000/- per month to each of them. By an order, dated 02.12.2015, the learned trial Judge awarded maintenance at Rs.5,000/- per month to the respondents 1 and 2 herein. Challenging the same, the present revision case is preferred.

Learned counsel for the petitioner submits that the petitioner is working as driver in SR Travels earning Rs.10,000/- per month and that it would be difficult to pay the amount awarded. In support of his contention he placed on record the salary certificate issued by the Travel Agency where he is working. The same is denied by the learned counsel for the respondents contending that the findings arrived at by the trial Court warrant no interference.

As seen from the record, it is clear that the salary certificate which was placed on record before this Court is not the salary certificate which was placed before the trial Court and no

witness is examined to prove the contents of the salary certificate. Therefore, the document which is now relied upon by the petitioner cannot be accepted. Further, learned counsel for the petitioner contends that the first respondent is an employee and working as Teacher in Joshi Vidyaniketan School but no positive evidence was adduced to prove the same. In view of the above, the order under challenge warrants no interference.

Accordingly, the Criminal Revision Case is dismissed.

Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE C. PRAVEEN KUMAR

21.07.2016

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