

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

Criminal Petition No.4163 of 2017

ORDER :

Heard the learned counsel for the petitioner and also the learned counsel for the respondents 1 and 2 and the learned Public Prosecutor representing the respondent No.3 and perused the petition averments impugning the order dated 10.04.2017 in Crl.R.P.No.149 of 2016 on the file of the learned II Additional District Judge, East Godavari, at Amalapuram, confirming the order dt.28.07.2016 in M.C.No.7 of 2014 of the learned Magistrate, Razole and perused the other material on record.

The order in maintenance case confirmed by the lower revision Court shows awarded maintenance of Rs.1500/- per month to the wife and minor son of the present petitioner herein who is respondent in maintenance case. Even the petitioner herein is shown doing business and from the claim as only a vendor of banana or other vegetables and even claimed his mother dependent on him, leave about claimed grandmother also, what the amount awarded of Rs.1500/- per month is a pittance, thereby there is nothing to interfere with the concurrent findings of the Courts below.

Having regard to the above and in the result, the Criminal Petition is disposed of. The interim order passed by the Court, dt.09.06.2017 is set aside by granting four (4) months time to pay entire arrears amount in four equal monthly installments from the date of receipt of the order and any non-payment of first

installment of 1/4th of the arrears amount, entitles to execute for recovery of entire arrears due by filing execution petition.

Consequently, miscellaneous petitions, if any, pending in this criminal petition, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date:12.10.2017
vvr

