

THE HON'BLE DR. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.9348 OF 2017

ORDER:

Though several contentions raised touching the merits saying he is not the JCB Operator, but a helper and getting only Rs.6,000/- per month and he has to maintain his age old parents also, this Court need not go into the merits, much less, to set aside the interim maintenance order dated 21.08.2017, more particularly from the operative portion of the order reads the interim maintenance is subject to further orders that may be passed by court after filing counter by respondent in the main petition with reference to documents and evidence by conducting trial in the main M.C. case.

2. Having regard to the above, one week time is granted from the date of receipt of this order to the petitioner herein, as respondent in M.C.No.81 of 2017, to file counter and therefrom, the trial court shall conduct trial of the matter and dispose of the same, within four months, uninfluenced by the interim maintenance order by considering the means and obligations of the petitioner as M.C. respondent, also with reference to any so-called maintenance of the M.C. petitioner.

3. Accordingly and with the above direction, this criminal petition is disposed of. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence.

DR.B.SIVA SANKARA RAO, J

09.10.2017
SS