

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL REVISION CASE No.2964 of 2016

ORDER :

Heard both sides and perused the impugned order.

2. Though from the very registered post, there is a presumption that can be drawn under Section 27 of the General Clauses Act r/w Section 114 of the Indian Evidence Act, more particularly, from the revision petition averments of the respondent claimed as employee at New Delhi and the notice in M.C. as respondent address shown at Nizamabad, there is no practically service, thereby, the impugned order is liable to be set aside.

3. Accordingly, the Criminal Revision Case is allowed by setting aside the order dated 30.05.2016 in M.C.No.402 of 2015 passed by the Additional Metropolitan Sessions Judge for the trial of Jubilee Hills Car Bomb Blast Case-cum-Additional Family Court-cum-XXIII Additional Chief Judge-cum-IX Additional Metropolitan Sessions Judge, Hyderabad, by directing the lower Court to afford opportunity to the revision petitioner as respondent to the M.C. to file counter, within one week from the date of receipt of copy of this order before the lower Court and thereafter to conduct

enquiry and pass appropriate orders in the main M.C. In the mean time, this Court awards Rs.7,500/- p.m. as interim maintenance to the 1st respondent herein from the date of M.C. The time granted to pay all the arrears is three months from today.

4. Miscellaneous petitions, pending if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date:25-01-2017
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