

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CIVIL REVISION PETITION No.3366 of 2017

ORDER

This revision is filed against the order dated 15.06.2017 in I.A.No.276 of 2017 in M.O.P.No.59 of 2016 on the file of the Family Court-cum-III Additional District and Sessions Judge, Srikakulam.

The revision petitioner is the husband and the respondent is the wife. The husband filed divorce O.P. Pending disposal of the same, the wife filed the above interlocutory application claiming interim maintenance. The trial Court, after considering the rival submissions, awarded Rs.20,000/- per month to the wife towards maintenance and Rs.15,000/- towards legal expenses. Aggrieved thereby, the present revision is filed.

Learned counsel appearing for the petitioner submits that the Court below has not taken into consideration the facts and relying on the contention of the wife that the husband is earning Rs.1,50,000/- per month, it straight away awarded Rs.20,000/- per month to the wife as interim maintenance, which is exorbitant and excessive.

Learned counsel for the petitioner submits that though the petitioner is getting salary of Rs.1,50,000/- per month, he has commitments and liability which is more than Rs.1,00,000/- per month and therefore, he is not in a position to pay Rs.20,000/- per month to the respondent as has been awarded by the Court below.

Learned counsel appearing for the respondent submits that the petitioner is working as a Senior Officer, namely, Associate Director in Reddy labs and earning Rs.1,50,000/- per month and therefore, the contention of the petitioner that he is not in a

position to pay Rs.20,000/- per month to the respondent is incorrect.

Having heard the submissions of both the learned counsel and on perusing the material on record, I feel that the maintenance awarded by the trial Court may slightly be modified and the petitioner-husband may be directed to pay Rs.15,000/- per month to the respondent-wife towards monthly maintenance pending disposal of the M.O.P.

Accordingly, the petitioner-husband is directed to pay Rs.15,000/- per month to the respondent-wife instead of Rs.20,000/- per month as awarded by the Court below. The remaining portion of the impugned order shall be intact.

Subject to the above modification, the Civil Revision Petition is disposed of. There shall be no order as to costs.

The Miscellaneous Petitions, if any, pending in this petition shall stand closed.

19th September, 2017.
ssp

M.S.K.JAISWAL,J