

HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

CRIMINAL REVISION CASE No.1709 OF 2017

ORDER:

The present Criminal Revision Case is preferred by the Revision petitioner - appellant in Criminal Appeal No.756 of 2016 and petitioner in Crl.A.M.P. No.256 of 2016, being the 1st respondent in D.V.C. No.31 of 2013, on the file of II Additional Junior Civil Judge-cum-XIX Metropolitan Magistrate, Cyberabad, Kukatpally at Miyapur (for short, 'the D.V.C. Court').

2. When the D.V.C. Court allowed the D.V.C. by its order dated 09.09.2016, directing the revision petitioner - husband to pay an amount of Rs.20,000/- per month towards maintenance on or before 10th day of every succeeding month, and further directed to return Rs.6,50,000/- within 6 months therefrom to the petitioner, and also directed to pay the compensation of Rs.10,00,000/- within 6 months therefrom to the 1st respondent – wife herein, under Section 22 of the Protection of Women from Domestic Violence Act, 2005 (for short, 'the Act'), he challenged it by preferring the Criminal Appeal No.756 of 2016 but also filed an application in Crl.A.M.P. No.256 of 2016. While disposing of the same, the learned XV Additional District Judge, Ranga Reddy District, Kukatpally at Miyapur, staying the two components *i.e.*, return of Rs.6,50,000/- and payment of compensation of Rs.10,00,000/- to the 1st respondent herein, directed the revision petitioner to continue to pay Rs.20,000/- p.m. towards monthly maintenance as ordered by the D.V.C. Court; further directed to deposit Rs.60,000/- towards arrears of maintenance for three months, within one month therefrom. Aggrieved over the said order, the revision petitioner -

husband has come before this Court by filing the instant Criminal Revision Case.

3. Heard Sri T.Pradyumna Kumar Reddy, learned counsel for the revision petitioner, and Smt.B.V. Padma, 1st respondent – party-in-person.

4. Learned counsel for the revision petitioner would submit that the revision petitioner has been paying Rs.15,000/- p.m. to the 1st respondent towards her maintenance regularly and hence sought for a direction to the lower appellate Court to dispose of the Criminal Appeal itself by fixing a timeline.

5. The party-in-person expresses apprehension that the Court below may get influenced by the observation made by this Court in Crl.R.C.M.P. No.2742 of 2017 directing payment of Rs.15,000/- as against Rs.20,000/- per month ordered by the D.V.C. Court which was not stayed by the lower appellate Court.

6. This Court, on 27.06.2017, in Crl.R.C.M.P. No.2742 of 2017 tentatively, directed the revision petitioner to continue to pay maintenance of Rs.15,000/- p.m., while directing to deposit Rs.60,000/- within 6 weeks.

7. The party-in-person, who is present, need not entertain such an apprehension.

8. In view of the facts and circumstances, it would be just and reasonable to direct the lower appellate Court to dispose of the Criminal Appeal No.756 of 2016, within 3 months from the date of receipt of a copy of this order, on merits, un-influenced by the *interim* order dated 27.06.2017 passed by this Court in Crl.R.C.M.P. No.2742 of 2017.

9. Accordingly, with the above observation, the Criminal Revision Case is disposed of.

As a sequel thereto, miscellaneous petitions pending in this Criminal Revision Case, if any, shall stand closed.

A.SHANKAR NARAYANA, J

Date: 14.12.2017.
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