

THE HON' BLE SRI JUSTICE M. SEETHARAMA MURTI

Crl.R.C.No.1462 of 2017

ORDER:

This Criminal Revision Case, under Sections 397 and 401 of the Code of Criminal Procedure, 1973, ('the CrPC', for short) is filed by the unsuccessful respondent-husband assailing the order, dated 14.10.2015 of the learned Additional Metropolitan Sessions Judge for trial of Jubilee Hills Car Bomb Blast Case-cum-Judge, Additional Family Court-cum-XXIII Additional Chief Judge, Hyderabad, passed in M.C.No.41 of 2014.

I have heard the submissions of *Smt. K. Pallavi*, learned counsel for the petitioner, and of *Sri M.A.K. Mukheed*, learned counsel for the 1st respondent. I have perused the material record.

At the hearing, it is fairly submitted that the order impugned is an *ex parte* order and that the petitioner herein is agreeable to pay Rs.4,000/- per month every month to the 1st respondent without prejudice to the rights and contentions of both the parties in the Maintenance Case and that subject to the said undertaking given by the petitioner, the Criminal Revision Case may be allowed and the order impugned may be set aside and the matter may be remanded to the trial Court for disposal afresh on merits.

Recording the afore-said submissions, the Criminal Revision Case is allowed and the order impugned is set aside and M.C.No.41 of 2014 is remitted to the trial Court for disposal afresh and on merits in accordance with the procedure established by law; however, subject to the condition that the petitioner herein shall pay Rs.4,000/- [Rupees Four Thousand only) per month every month to the 1st respondent herein without prejudice to the rights and contentions of both the parties in the Maintenance Case till the final disposal of the said case. The trial Court shall endeavour to dispose of the Maintenance

Case as directed above as expeditiously as possible and preferably within two (02) months from the date of receipt of a copy of this order. As a sequel to these orders, the warrants, if any, issued by the trial Court against the petitioner shall stand recalled. Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE M. SEETHARAMA MURTI

01.06.2017
Vjl

