

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

CRIMINAL REVISION CASE No.124 of 2011

ORDER:

Heard and perused the impugned order of the learned Judge, Family court dated 07.07.2006 in M.C.No.303 of 2005 awarding maintenance to the wife and the 3 children including by then major unmarried daughter and minor son and minor daughter respectively at Rs.2,000/- per month each from the date of filing maintenance case on 22.12.2005 in saying the maintenance payable is till performance of the marriage of petitioners 2 and 4 of M.C, i.e., Kumari Rumana Almas and Nasrana Noor and to the son, the 3rd petitioner till attaining the age of majority.

It is the submission of the learned counsel for the petitioner herein that the eldest daughter Rumana Almas's marriage was performed in 2012 and the youngest daughter Nasrana Noor's marriage was performed in 2013 and the son became major in the year 2007 itself. Once such is the case, when the order is very clear but for filing of proof of the facts before the learned Family Court to consider non-executability so far of them for there is no further liability after marriages of the daughters' and son became major there is nothing to interfere with that order to that extent. So far as awarding of maintenance at Rs.2,000/- per month to the wife thereafter concerned also, there is nothing to interfere with the quantum, but for to grant time of 4 months to pay all arrears by calculation with proof before the Court below till the date of respective marriages of the 2 daughters and till attainment of majority of the son and continuously to the wife.

Accordingly and in the result, the criminal revision case is disposed of with above observations.

Consequently, miscellaneous petitions, if any shall stand closed. No costs.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 21.03.2017
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