

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL REVISION CASE No.2886 of 2016

ORDER :

The revision petitioner is the husband of the revision 2nd respondent and father of revision 3rd respondent, who is minor, impugning the order in M.C.No.212 of 2012 of the Judge, Family Court, L.B.Nagar, Panga Reddy District, dated 07.10.2016, granting Rs.5,000/- to the wife and Rs.3,000/- to the child from the date of petition i.e., 29.08.2012, husband maintained the revision.

2. Heard both sides and perused the impugned order.
3. The impugned order of the docket is from the pleadings and evidence of PW.1-wife and RW.1-husband only practically for no documentary evidence other than Ex.P1-Wedding card and Ex.P2-school fee receipts of minor child. It is the claim of the revision petitioner that he is working in a private firm and getting only Rs.6,000/- p.m. He did not file any proof, though burden is on him nor sought for summoning of the school records. To say that he is running a cloth shop and earning Rs.2,50,000/- p.m., there is no basis, wife could not file even a scrap of paper as to any R.C.License or owning of cloth shop, if so, at what premises. There is nothing to show that the wife is getting any means, to survive herself.

4. Having regard to the above, though, once the revision petitioner is able-bodied to maintain a wife and child, awarding Rs.5,000/- and Rs.3,000/- to the minor child requires to be modified as Rs.3,000/- each.

5. Accordingly, the Criminal Revision Case is partly allowed. In other respects, the impugned order holds good.

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

Dr. B. SIVA SANKARA RAO, J

Date:07-04-2017
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