

HON'BLE DR. JUSTICE B.SIVA SANKARA RAO

CRIMINAL REVISION CASE Nos.525 OF 2017

AND

Crl.R.C.No.801 of 2017

COMMON ORDER:

Heard both sides in both matters vis. Sri P.Bhaskar in Crl.R.C.No.801 of 2017 for petitioner and Sri Prakash Buddarapu, represented by learned Senior Counsel, Sri A.Satya Prasad, for petitioner in Crl.R.C.No.525 of 2017 respectively, one is in opposing the quantum as excessive and the other in opposing the quantum as utterly low and perused the impugned interim maintenance order dated 27.01.2017 of the lower court in Crl.M.P.No.119 of 2016 in M.C.No.24 of 2016 on the file of the learned XV Additional District Judge-cum-II Additional Family Court, Ranga Reddy District at Miyapur, granting at Rs.25,000/- per month, out of the claim of Rs.75,000/- per month, from the averments of the wife that the husband is drawing above Rs.3,50,000/- per month and from his contest that the same is not correct and she is also highly qualified and intentionally not earning and by referring to the expression of the Apex Court in ***Sunitha Kachwaha and others Vs. Anil Kachwaha***¹ of mainly because wife shown qualified is not a ground, in the absence of showing not earning intentionally or earning otherwise, in view of the same and he did not produce any proof regarding what he is earning.

¹ 2015 (1) ALD (Crl.) 484 SC

2. Having regard to the above, without prejudice to the contest of both sides to ultimately deciding the maintenance case in final disposal as to what is the just maintenance entitled including to adjust if at all to adjust out of the interim maintenance order, the revision is dismissed for nothing to interfere.

3. Miscellaneous petitions pending, if any, in this case shall stand closed.

23.03.2017
SS

DR.B.SIVA SANKARA RAO,J

