

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

CRIMINAL REVISION CASE No.597 OF 2017

ORDER:

This Criminal Revision Case is filed by the petitioner/husband, under Sections 397 and 401 of the Code of Criminal Procedure, 1973, assailing the docket order, dated 25.10.2016, of the learned XIV Additional District and Sessions Judge, Vijayawada of Krishna District, whereby the learned Additional District and Sessions Judge, while considering the request of the respondent-wife for grant of interim maintenance @ Rs.25,000/- per month, awarded interim maintenance @ Rs.5,000/- per month with effect from October, 2016.

2. Learned counsel for the petitioner-husband would submit as follows:

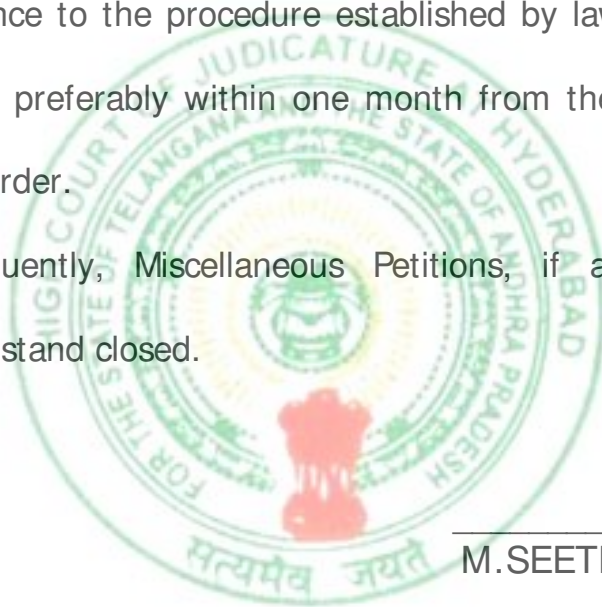
A detailed counter has been filed before the Court below stating fairly that the income of the petitioner-husband ranges from Rs.2,00,000/- to Rs.2,50,000/- per annum and also the responsibility he has in maintaining other members of the family and to discharge the loans, which he has contracted for the marriage of the sister of the respondent-wife. The respondent-wife has taken away substantial gold and other articles from the matrimonial home. The order impugned was passed without assigning reasons. Therefore, the order is unsustainable and is liable to be set aside.

3. I have carefully perused the counter and also the petition filed by the respondent-wife for award of interim maintenance. In the considered view of this Court, the submissions in the counter of the petitioner-

husband require detailed consideration at the time of passing final orders in the application for interim maintenance, but not at the stage of the interim order. Be that as it may, in view of the contentions of the petitioner-husband, this Court is satisfied that the revision petition can be disposed of at the stage of admission with appropriate directions.

4. Accordingly, the Criminal Revision Case is disposed of directing the learned XIV Additional District and Sessions Judge, Vijayawada, to dispose of CrI.M.P.No.84 of 2016 in M.C.No.272 of 2014, on merits, however, in strict adherence to the procedure established by law, as expeditiously as possible, and preferably within one month from the date of receipt of a copy of this order.

Consequently, Miscellaneous Petitions, if any, pending in this revision shall stand closed.



M.SEETHARAMA MURTI, J

Date:08.03.2017
INL