

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

Criminal Revision Case No.1801 of 2017

JUDGMENT:

The order under challenge is passed in an application of the year 2016, that too towards interim maintenance.

2. Heard Sri Md. Jameel Ahmed Ansari, learned counsel for the revision petitioner/husband and Sri Vikhar Ahmed, learned counsel for the 1st respondent/wife.

3. In Criminal M.P. No.154 of 2016 in M.C. No.435 of 2015, the wife, who filed Maintenance Case as well as the Miscellaneous Petition, sought interim maintenance of Rs.10,000/- per month under Section 125 (1) of Criminal Procedure Code, 1973 (for short, 'Cr.P.C.'). Counter was filed by the husband resisting the request. The Additional Metropolitan Sessions Judge for the trial of JHCBBC-cum-Additional Family Court-cum-XXIII Additional Chief Judge-cum-IX Additional Metropolitan Sessions Judge, Hyderabad, having appreciated the arguments advanced before him, opined that Rs.5,000/- per month towards interim maintenance would be reasonable, and, accordingly, granted the same. Against which, the present Criminal Revision Case is filed by the petitioner/husband.

4. This Court on 3.7.2017 granted stay on certain conditions in Criminal R.C.M.P. No.2876 of 2017.

5. The learned counsel for the 1st respondent-wife would submit that, in fact, in M.C. the petitioner's side evidence was closed and even on behalf of the respondent/husband, he himself examined as R.W.1 and coming up for further evidence, in which direction affidavit in chief-examination of the witness is also filed.

6. A perusal of the order in paragraph-5 shows that the petitioner-husband has been working as Accounts Officer, Muffakham Jah College of Engineering and Technology, Banjara Hills, Hyderabad, in which he claimed that he was getting gross salary of Rs.10,100/-.

7. Having regard to the facts and circumstances of the case, an amount of Rs.4,000/- is granted to the 1st respondent-wife as against Rs.5,000/- granted by the Court below towards interim maintenance from this month onwards; and the Court below is directed to dispose of the Maintenance Case within two months from the date of receipt of a copy of the order, uninfluenced by the observations of this Court.

8. Accordingly, the Criminal Revision Case is disposed of with the above direction.

As a sequel thereto, Miscellaneous Petitions, if any, pending in the Criminal Revision Case, shall stand closed.

A. SHANKAR NARAYANA

Dt.20.11.2017
gbs