

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

CIVIL REVISION PETITION No.2596 of 2017

ORDER:

An order, dated 16.03.2017, passed by the Court of the Judge, Family Court-cum-Additional District Judge, Anantapuram, in I.A.No.658 of 2016 in F.C.O.P.No.89 of 2016 is under challenge in the present revision filed under Article 227 of the Constitution of India.

In F.C.O.P.No.89 of 2016, the respondent, who is the wife of the petitioner herein, filed the present I.A. under Section 24 of the Hindu Marriage Act, 1955 seeking interim maintenance of Rs.20,000/- per month. The said application was resisted by the petitioner by way of filing counter. The learned Judge by way of the order under challenge granted a sum of Rs.15,000/- per month towards interim maintenance and also towards legal expenses from the date of the application i.e, 07.11.2016 till the disposal of the main O.P.

According to the learned counsel for the petitioner, the impugned order is erroneous, contrary to law and opposed to the very spirit and object of the provisions of Section 24 of the Hindu Marriage Act, 1955.

It is not in dispute that the respondent is an unemployed woman and has a baby of 2½ years old. Even according to the petitioner, he is presently working in a Government Polytechnic College as a Lecturer. In the counter affidavit filed before the Court below, the petitioner

categorically stated that his gross salary is Rs.52,556/- and after statutory deductions his net salary is Rs.43,242/- only. A perusal of the order under challenge clearly discloses that the learned Judge took into consideration all the above aspects and granted a reasonable amount of Rs.15,000/- per month towards the interim maintenance and also towards legal expenses. In the absence of any jurisdictional error or perversity in the impugned order, this Court under Article 227 of the Constitution of India does not propose to meddle with the same.

Having regard to the nature of controversy and the facts and circumstances of the case, this Court deems it appropriate to direct the learned Judge to make an endeavour to dispose of F.C.O.P.No.89 of 2016 as expeditiously as possible.

With the above direction, the civil revision petition stands dismissed.

Miscellaneous petitions, if any, shall also stand dismissed. There shall be no order as to costs.

A.V.SESHA SAI, J

Date: 23.06.2017
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