

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRL R.C. NO.1240 OF 2017

ORDER:

This criminal revision case is filed under Sections 397 and 401 of Cr.P.C. challenging the order, dated 20.10.2016 in Crl.R.C.M.P.No.171 of 2015 in FCOP No.331 of 2014 passed by the Additional Judge, Family Court, Visakhapatnam whereby the first respondent was granted maintenance of Rs.3,500/- per month from the date of the petition directing the petitioner herein to pay arrears of maintenance in 10 monthly equal instalments together with regular maintenance.

The main contention before this court is that the petitioner is an auto driver and whereas, the first respondent-wife is the science teacher in Bhashyam School and earning sufficient income to meet her necessities. But, as seen from the order passed by the trial Court, no document was produced before the Judge, Family Court to accept this contention. The petitioner offered to produce documents in support of his contention that she is working as science teacher in Bhashyam School. But, in view of limited scope of jurisdiction under Section 397 and 401 Cr.P.C., I deem it appropriate to direct the petitioner to move appropriate application to cancel the maintenance granted to the first respondent if there is any evidence in support of his contention that the first respondent is working as teacher and earning sufficient income to meet her necessities.

With the above direction, the criminal revision case is disposed of accordingly at the stage of admission.

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

M.SATYANARAYANA MURTHY,J

DATE:16-08-2017
ccm



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