

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL REVISION CASE No.1780 of 2015

ORDER :

This revision is filed aggrieved by the order dated 10.5.2015 in O.P.No.179 of 2012 passed by the Judge, Additional Family Court, Visakhapatnam.

Heard both sides at length.

The relationship between the parties is not in dispute, so also the entitlement to maintenance, there is nothing even to show from the divorced first husband, the wife received what are the amounts to consider as means. Undisputedly, the petitioner is working in the Ministry of Home Affairs and according to the evidence of PW.1-wife, he is drawing more than Rs.25,000/- p.m. He did not produce the salary certificate or pay slip, which is best evidence in his control, which he cannot withhold even from reading of Section 106 of the Indian Evidence Act. Once such is the case and she asserts that he is drawing more than Rs.25,000/- p.m. and despite it, he failed to produce his pay slip, there is nothing to interfere with the amount of maintenance of Rs.5,000/- awarded by the lower Court by sitting in revision.

Accordingly, this Criminal Revision Case is dismissed.
However, three months time granted to pay all the arrears
meantime in three equal monthly installments.

Consequently, miscellaneous petitions pending, if any,
shall stand dismissed.

Dr. B. SIVA SANKARA RAO, J

Date:31-01-2017
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DATE: 31.01.2017



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