

THE HON'BLE DR. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.9643 OF 2017

ORDER:

Heard the learned counsel for the petitioner and the learned public prosecutor, representing the 1st respondent – State, before ordering notice to the respondents 2 to 4.

2. There is nothing to recall the warrant for recovery of the maintenance amount, but for to suspend for one month from date of receipt of the order, so that the petitioner can pay what are the arrears meantime. Needless to say from the submission of application with delay condonation under Section 126 Cr.P.C., to set aside the *exparte* maintenance order is pending, the lower court within fifteen days from the date of receipt of the order, dispose of the same on merits.

3. Accordingly and with the above observation, this criminal petition is disposed of. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence.

DR.B.SIVA SANKARA RAO, J

23.10.2017
SS