

THE HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

Criminal Revision Case No.735 of 2017

ORDER:

Heard Sri Yogesh Kumar Heroor, learned counsel for the petitioner/respondent/husband and Mrs. Gyanam Sandhya Rani, learned counsel for the respondents 2 to 4, who are the wife and the children.

2. In an Interlocutory Application being M.P. No.114 of 2016 in F.C.O.P. No.426 of 2016, the learned Judge, Family Court-cum-V Additional District & Sessions Judge, Visakhapatnam, by his order, dated 30.01.2017, awarding interim maintenance of Rs.10,000/- to the 1st petitioner and Rs.5,000/- each to the petitioners 2 and 3 directing the respondent/revision petitioner to pay on or before 10th of each current month into savings bank account of the wife.

3. The learned counsel for the revision petitioner would submit that the revision petitioner, in fact, filed counter resisting the request taking the stand that he was drawing net salary of Rs.60,395/- and so far as A.R.R.P.L.B. is concerned he gets it between Rs.40,000/- and Rs.50,000/- per month and claimed that he has been contributing to Margadarsi Chits a sum of Rs.16,000/- and paying house loan of Rs.33,500/- and after deductions he gets Rs.15,000/- to Rs.20,000/-.

4. The learned counsel today has placed for perusal a copy of the pay slip for the Month of August, 2017 showing that he was getting net salary of Rs.61,872/-, after deductions are made. In such an event, the revision petitioner claims that he was contributing Rs.16,000/- towards Margadarsi Chits and housing loan of Rs.33,500/-, which all can be looked into in the main O.P. since interim maintenance awarded by the Family Court constitutes less than one-third of net salary or carry home salary. Certainly, it cannot be said that the amounts awarded towards interim maintenance are exorbitant or excessive.

5. Therefore, there is no merit in the Revision, and, accordingly, the present Criminal Revision Case is dismissed.

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

A. SHANKAR NARAYANA

Dt.03.11.2017
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