

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL REVISION CASE No.2622 OF 2017

JUDGMENT:

Heard Sri S. Surender Reddy, learned counsel for the revision petitioner, and Sri Syed Ahmed Ali, learned counsel for respondent No.2, and perused the material on record.

2. The learned Judge, Additional Family Court - cum - Additional Metropolitan Sessions Judge for trial of JHCBBC, Hyderabad, by his order dated 15.09.2017 in M.P. No.2186 of 2016 in M.C. No.234 of 2016, having taken into consideration the petition and the counter averments and having found that the revision petitioner was working as Office Subordinate in Agricultural University, keeping in view the salary he was receiving, awarded Rs.7,000/- towards interim maintenance.

3. The learned counsel for the revision petitioner would submit that the revision petitioner is not working now as the police have been making efforts to arrest him, but, it is clear that there is no clarity on the part of the revision petitioner as to whether he resigned to his job or removed. So, it cannot be said that he was not working. In such an event, even viewing that the amount of Rs.60,000/- as the amount towards salary being derived by the revision petitioner suffering from exaggeration, still, a sum of Rs.6,000/- can be directed to be paid by the revision petitioner. It is no doubt true, the learned counsel for the

revision petitioner would submit that the revision petitioner has got old aged parents, but, that cannot be a ground to deprive the wife, respondent No.2. However, this would not come in the way of disposing of maintenance case finally by looking into the salary that is derived, dependants on the revision petitioner and the cost of living and what the wife, respondent No.2, would require according to her status.

4. It is desirable to direct the learned Judge, Additional Family Court, to dispose of the maintenance case within a period of six (6) months from the date of receipt of a copy of the order.

5. Accordingly, with the above directions, the Criminal Revision Case is allowed in part, at the admission stage itself.

As a sequel thereto, Miscellaneous Applications, if any, pending in the present revision stand closed.

A. SHANKAR NARAYANA, J

November 27, 2017.

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