

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

CIVIL REVISION PETITION No.6097 OF 2017

ORDER:

The petitioner herein is respondent/ husband in I.A.No.998 of 2016 in F.C.O.P.No.532 of 2015 on the file of the Family Court, Hyderabad.

Heard both sides.

The said I.A. was filed by the respondent/ wife under Section 24 of the Hindu Marriage Act, pending disposal of divorce petition filed by the revision petitioner/ husband, claiming interim maintenance of Rs.25,000/- p.m. and Rs.25,000/- towards litigation expenses. It is, on contest, the lower Court awarded interim maintenance of Rs.5,000/- p.m. and Rs.3,000/- p.m., to the wife and daughter respectively.

On perusal of the impugned order, there is nothing to interfere with the same, but for, to reduce the interim maintenance awarded to the respondent/ wife from Rs.5,000/- p.m., to Rs.4,000/- p.m. by confirming the impugned order in all other respects. If at all the amount is not sufficient, the respondent/ wife can file an application for regular maintenance to get a reasonable amount on own merits.

Accordingly, the Civil Revision Petition is partly allowed. The lower Court is directed to dispose of F.C.O.P.No.532 of 2015 within a period of four months from the date of receipt of copy of this

order. The petitioner/ husband has to pay 50% of the arrears of maintenance within one month from today and the balance in two equal monthly instalments and even non-payment of first instalment not only entitles execution but also the respondent can file an application to dismiss F.C.O.P.No.532 of 2015 under Section 151 C.P.C. by virtue of this order.

Pending miscellaneous petitions, if any, shall stand closed.

No costs.

DR. B. SIVA SANKARA RAO, J

Date: 04.12.2017
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