

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

C.R.P.No.5598 OF 2017

ORDER:

This revision petition is filed under Article 227 of the Constitution of India to revise the order dated 27.06.2017 in I.A.No.408 of 2017 in HMOP No.9 of 2016 passed by the Senior Civil Judge, Khammam, Khammam District in a petition filed under Section 24 of the Hindu Marriage Act granting interim maintenance during pendency of HMOP @ Rs.3,000/- to the petitioner and Rs.1500/- to the children.

HMOP is of the year 2016 and the order passed under Section 24 of the Hindu Marriage Act is only an interim order, which will be terminated on the date of disposal of main petition. But the main contention of learned counsel for the petitioner is that in parallel proceedings under Section 125 Cr.P.C maintenance was awarded to the respondent and that the property of the petitioner was sold as per the provisions of Revenue Recovery Act and realized arrears of maintenance only Rs.3,64,000/- was paid to the respondent and balance amount has to be paid towards arrears of amount. At this stage, it is difficult for this Court to interfere with the order passed by the trial Court. However, in view of the concession given by Sri M.M.M.Srinivas Rao, counsel for the petitioner and Sri G.L.Narasimha Rao, counsel for respondent, it is appropriate to issue a direction to the Senior Civil Judge, Khammam Khammam District to dispose of HMOP No.9 of 2016 as expeditiously as possible in any event not later than three months from the date of receipt of a copy of this order in accordance with law.

Accordingly, the civil revision petition is disposed of with the above direction, without touching the merits of the case. No costs.

Miscellaneous petitions, if any, pending in the revision petition, shall stand closed.

M. SATYANARAYANA MURTHY J

Date: 12.12.2017
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