

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL REVISION CASE No.788 OF 2016

ORDER:

This Criminal Revision Case is filed by the respondent in M.C. No.26 of 2015 aggrieved by the interim maintenance order dated 20.01.2016 passed in CrI.M.P. No.285 of 2015 in M.C. No.26 of 2015 on the file of Judge, Family Court-cum-Additional District Judge, Khammam, awarding maintenance of Rs.5,000/- p.m. each to the wife and two minor children, aged between 11 to 16 years, from the date of order.

2) Heard both sides and perused the material on record.

3) There is no dispute with regard to the relationship. Even in the counter, the revision petitioner mentioned that as per the settlement before the elders, he agreed to pay Rs.5,000/- p.m. to two children from the date of order and not from the date of petition. The lower Court therefrom when awarded maintenance at Rs.5,000/- p.m. each to the petitioners, there is nothing to interfere but for to decide what is entitled ultimately after full dressed trial to claim adjustment out of what is paid from the interim maintenance. As the trial is already in progress, any expression further to decide the quantum at this stage may cause prejudice to the rights of any of the parties. Thus, this Court without expressing any opinion further on quantum disposing this revision by granting four (4) months time to the revision petitioner to pay all the arrears, failing which the respondents are entitled to recover the same. However, the lower

Court shall dispose of the main M.C within two (2) months from the date of receipt of this order.

4) As a sequel, miscellaneous petitions if any pending shall stand closed.

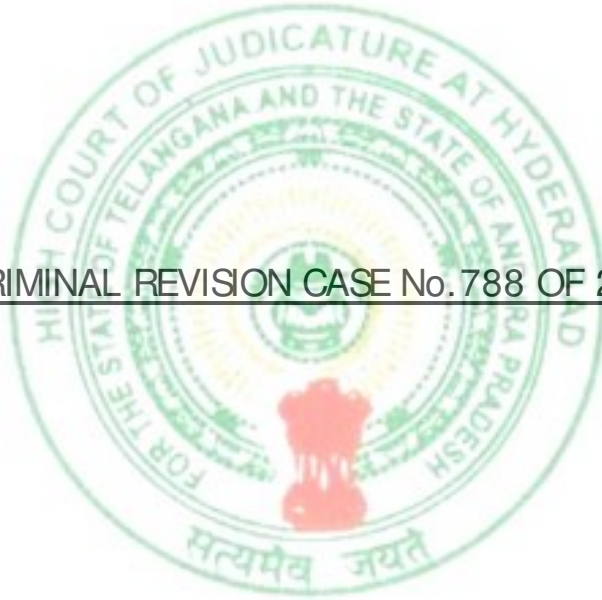
Dr. B. SIVA SANKARA RAO, J

Dt.30.01.2017
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Date:30.01.2017

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