

The Hon'ble Sri Justice A.Shankar Narayana

Criminal Revision Case No.3034 of 2017

Order:

Heard Sri R.K.G.Bhatia, learned Counsel for the petitioner, and the learned Public Prosecutor for the State of Telangana appearing for respondent No.2.

The present Criminal Revision Case is filed against Order, dated 18-09-2017, in CrI.M.P.No.130 of 2017 in MC.No.212 of 2016 on the file of the Judge, Family Court at L.B.Nagar, Ranga Reddy District, whereby and whereunder a sum of Rs.5000/- was granted towards interim monthly maintenance as against the claim of Rs.10,000/- laid by respondent No.1.

Learned Counsel for the revision petitioner has made a strong submission that the petitioner/husband had worked as a contractor earlier, but now, he has totally stopped the contract works; that therefore, he has no means or source of income to pay the maintenance amount; and that the Court below has totally overlooked the above aspect. The learned Counsel would further submit that the revision petitioner has

filed OP.No.843 of 2016 for dissolution of marriage and while the said OP is pending, the respondent- wife has come up with MC.No.212 of 2016 along with an interim application for grant of maintenance.

When questioned as to whether the revision petitioner was a 'C' class Contractor or a 'B' class Contractor and if any documentary proof is filed in support of his occupation, the learned Counsel is unable to come up with an answer. But however, he would submit that the petitioner was working as a sub-contractor under a Contractor.

Generally, in Maintenance Cases, husbands are prone to state that they have become idle. The present revision petitioner is not an exception. The Court below has rightly rejected the said plea.

Coming to the quantum of maintenance, the amount of Rs.5,000/- per month certainly cannot be said to be on higher side. Moreover, it is difficult to make both ends meet even with a sum of Rs.5,000/- per month.

Hence, there is no merit in this Criminal Revision Case and the same is, accordingly, dismissed.

As a sequel, Miscellaneous Petitions, pending if any,
stand dismissed as infructuous.

(A.Shankar Narayana, J)

Dt: 28th November, 2017
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