

THE HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL REVISION CASE No.3162 of 2017

JUDGMENT:

Heard Sri Dadi Radhakrishna, learned counsel for the petitioner.

2. By order, dated 11.4.2017, this Court in Criminal R.C. No.577 of 2017, while allowing it in-part, reduced the maintenance awarded by the lower Court from Rs.20,000/- to Rs.15,000/- per month maintaining the order in all other respects, and granted three months time to pay all arrears of maintenance in three equal monthly installments, and non-payment of even one installment results in execution for the entire amount to recover. Thus, three months period would expire on 11.7.2017.

3. The order under challenge herein is dated 9.11.2017 in Criminal M.P. No.239 of 2017 in F.C.M.C. No.13 of 2016, whereby and wherunder the learned Judge, Family Court, Vizianagaram, observing that the petitioner paid Rs.80,000/- on 9.7.2017, Rs.15,000/- and Rs.50,000/- by way of two demand drafts on 2.8.2017 and Rs.55,000/- by way of demand draft on 3.8.2017, and the last two installments were paid beyond time stipulated by this Court, dismissed the petition, which occasioned to prefer the present Criminal Revision Case.

4. The learned Counsel would point out that the petition filed by the respondent wherein she made a mention of Rs.1,60,000/-.

5. It would have been proper for the revision petitioner to approach this Court in case time stipulated was getting expired, and in case it was difficult for the revision petitioner to comply with the payment of amount within the time stipulated, but instead of doing so, he paid last two installments beyond the time stipulated by this Court.

6. Be that as it may, the extension of time is the only remedy, and, therefore, while setting aside the order in Criminal M.P. No.239 of 2017, dated 9.11.2017, the present Criminal Revision Case is allowed at the admission stage itself, granting one month's time more. The 1st respondent-wife is at liberty to withdraw the said amount.

As a sequel thereto, miscellaneous petitions, if any, pending in the Criminal Revision Case shall stand closed.



A. SHANKAR NARAYANA, J

December 11, 2017.

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