

THE HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL REVISION CASE No.3088 of 2017

ORDER:

The present Criminal Revision Case is filed questioning the order dated 20.07.2017 in M.C.No.51 of 2014 passed by the Judge, Family Court-cum-IX Additional District and Sessions Judge, Rajamahendravaram, whereby and whereunder, the application filed under Section 125 of the Code of Criminal Procedure (for short, 'the Code') was allowed awarding a monthly maintenance of Rs.5,000/- to the wife and Rs.2,500/- each to the petitioners 2 and 3 in the M.C.

Heard Sri Nimmagadda Satyanarayana, learned counsel for Sri Narasimha Rao Davuluri, learned counsel for the revision petitioners.

The present criminal revision case is taken up for disposal at the admission stage.

There is not much in the present revision case favouring the revision petitioner for withholding the order passed by the learned Judge, Family Court. In his cross-examination, RW.1, who is the revision petitioner herein, made certain admissions that he owns Ac.2.00 of land and also he is deriving Rs.4,000/- per month by rearing four cows. The Judge, Family Court, having kept in view the relevant factors, has awarded the aforesaid amounts. Admittedly, the 3rd petitioner herein, who was 17 years old when the Maintenance Case was filed in 2014, must have attained majority. Therefore, what

remains is only the maintenance awarded to the wife and the 4th petitioner herein.

The submission of the learned counsel for the revision petitioner is that since revision petitioner is earning meagre amount, it is difficult for him to pay the monthly maintenance of Rs.5,000/- to the wife and Rs.2,500/- to the 4th petitioner herein and, in fact, the source of income is not proved by the wife.

But, these factors are taken into consideration by the learned Judge, Family Court. Besides the same, the tendency of the husband in a maintenance case would be to show the income at lower level. When kept in view, the present day cost of living and spiralling prices of household articles and food articles, the monthly maintenance awarded by the court below cannot be viewed as excessive or arbitrary. There is no merit in the present revision.

The present Criminal Revision Case is, therefore, dismissed.

Miscellaneous Petitions, if any, pending in the present revision case, stand closed.

A. SHANKAR NARAYANA, J

05.12.2017

v v