

THE HON'BLE SRI JUSTICE P.KESHA RAO

CRIMINAL REVISION CASE No.14 OF 2018

ORDER:

The present Criminal Revision Case is filed questioning the orders passed in CrI.M.P.No.266 of 2017 in M.C.No.264 of 2016 on the file of the Court of Judge, Family Court, Ranga Reddy District at L.B.Nagar in awarding a sum of Rs.10,000/ and Rs.5,000/- per month towards maintenance to the respondents 2 and 3 respectively.

Heard the learned counsel for the petitioner and the counsel for the respondents 2 and 3.

The facts of the case are that the respondents 2 and 3 herein filed M.C.No.264 of 2016 against the petitioner herein claiming a sum of Rs.50,000/- per month towards maintenance from June, 2016 and continue to pay the same and also to pay a sum of Rs.2.00 lakhs towards medical expenses incurred when the 3rd respondent herein was born. Pending the said M.C., they filed CrI.M.P.No.266 of 2017 claiming an interim maintenance of Rs.30,000/- per month.

Though the petitioner herein entered appearance in the said M.C., has not filed his counter and there was no representation. Therefore, the Court below on 03.11.2017, forfeited the right of the petitioner to file counter and allowed the said application awarding a sum of Rs.10,000/- and Rs.5,000/- per month towards interim maintenance to the respondents 2 and 3 herein. Aggrieved by the same, the present revision is filed.

Having heard both the counsel and also looking into the material on record, the order passed by the Court below is only as an interim measure during the pendency of the maintenance case. The order does not indicate as to what is the financial status as well as the income of the petitioner herein per month so as to fix the maintenance. Be that as it may, it is informed to the Court that the petitioner herein was doing data analysis business at the time of marriage. However, at present, he is not doing any job and he is idle.

Per contra, Ms. N.Nagavani, counsel appearing for the respondents 2 and 3 opposed the contention of the counsel for the petitioner and supported the orders passed by the Court below.

Having regard to the fact that the interim maintenance awarded is only a temporary measure, this Court is not inclined to set aside the impugned order. However, to meet the ends of justice, since it is represented by the counsel for the petitioner that the petitioner is not doing any job, the Criminal Revision Case is disposed of directing the petitioner herein to pay a sum of Rs.7,500/- and Rs.3,000/- per month to the respondents 2 and 3 respectively, towards maintenance pending disposal of the main M.C. in the Court below. However, the learned Judge, Family Court, R.R.District at L.B.Nagar is directed to dispose of the main M.C. within four months from the date of receipt of a copy of this order. It is needless to observe that the arrears accrued as on today, shall be paid by the petitioner at the rate indicated above, within one month from the date of receipt of copy of the orders,

failing which, the respondents 2 and 3 are at liberty to take appropriate steps as per law.

Pending miscellaneous petitions, if any, shall stand closed.

P.KESHAVA RAO,J

21st JUNE 2018.
Tsr

