

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL REVISION CASE NO.822 OF 2007

ORDER:

This revision is filed by the petitioner-husband under Sections 397 and 401 Cr.P.C. challenging the order, dated 26.03.2007 in M.C.No.90 of 2004 on the file of the Family Court-cum-IV Addl. District and Sessions Judge, Vijayawada, wherein maintenance of Rs.1,000/- per month to the 2nd respondent-wife, was granted from the date of petition.

2. There was no representation on behalf of the petitioner on 19.04.2018. Therefore, the matter was directed to be listed on 26.04.2018 under the caption 'for dismissal'. On 26.04.2018, when there was no representation on behalf of both sides, the matter was listed under the caption 'for orders'. Even today also, there is no representation on behalf of the petitioner. Under these circumstances, this revision can be disposed of on merits.

3. The respondent-wife was examined as P.W.1 and no documents were marked on her behalf. Whereas, the petitioner-husband was examined as R.W.1 and got marked Ex.B1-copy of patta form, Ex.B2-medical report of mother of R.W.1, Ex.B3-medical bills of mother of R.W.1 and Ex.B4-C.C. of judgment in C.C.No.968 of 2002 on the file of IV MMC, Vijayawada. The trial Court after taking into consideration the evidence of P.W.1 and R.W.1 and the documents Exs.B1 to B4 awarded maintenance of Rs.1,000/- per month to the respondent-wife. There is justification on the part of the respondent-wife to live separately from the petitioner. The findings of the trial Court are based upon proper appreciation of evidence and

documents available on record. There is no miscarriage of justice. There is nothing to take a different view. The revision is devoid of merit and is liable to be dismissed.

4. Accordingly, the Criminal Revision Case is dismissed. Miscellaneous petitions, if any pending in this Revision shall stand closed.

DR.SHAMEEM AKTHER, J

DATED: 01-05-2018.

Hsd

