

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL REVISION CASE NO.1651 OF 2017

ORDER:

This revision is filed by the petitioner-husband under Sections 397 and 401 Cr.P.C. aggrieved by the order, dated 09.03.2017 in M.C.No.82 of 2015 on the file of the Family Court-cum-IV Addl. District & Sessions Judge, Vijayawada, wherein maintenance of Rs.3,000/- per month was granted to the 2nd respondent-wife.

2. Heard learned counsel for the petitioner, learned counsel for the 2nd respondent and perused the record.

3. Learned counsel for the petitioner would submit that the petitioner is doing Wood polishing work. He has no sufficient means to maintain the 2nd respondent. The 2nd respondent has sufficient means to maintain herself and ultimately, prayed to set aside the impugned order.

4. On the other hand, learned counsel for the 2nd respondent would submit that the Court below has discussed the entire evidence on record and the findings are based on evidence. There are no merits in the revision and ultimately, prayed to dismiss the revision.

5. As per the material placed on record, the petitioner is doing Wood polishing work and he has sufficient means to maintain the 2nd respondent-wife. There is also justification for the wife to live separately and claim maintenance. Now-a-days cost of living and cost of accommodation is very high. Awarding of maintenance of Rs.3,000/- per month is quite reasonable. The findings are based on the evidence available on record. There is no mis-

carriage of justice. The revision is devoid of merit and is liable to be dismissed.

6. Accordingly, the Criminal Revision Case is dismissed. Interim stay granted by this Court on 21.06.2017 shall stand vacated. Miscellaneous petitions, if any pending in this Revision shall stand closed.

DR.SHAMEEM AKTHER, J

DATED: 19-04-2018.

Hsd

