

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Petition No.1495 of 2018

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioner/husband, seeking to quash the order, dated 27.11.2017, passed in Criminal Revision Petition No.97 of 2017, by the IX Additional Sessions Judge, West Godavari at Kovvur, whereby and whereunder, the order, dated 17.08.2017, passed in M.C.No.34 of 2016 by the I Additional Junior Civil Judge, Kovvur, granting maintenance of Rs.20,000/- to the respondents 2 to 4 herein, was confirmed.

2. Heard the learned counsel for the petitioner/husband, learned Assistant Public Prosecutor representing the 1st respondent-State and perused the record.

3. The learned counsel for the petitioner/husband, would submit that the net salary of the petitioner is only Rs.27,360/-. When this Court questioned the learned counsel for the petitioner about the gross salary of the petitioner, he stated that the gross salary of the petitioner is Rs.40,000/-. Both the Courts below, while dealing with the grant of maintenance to the respondents 2 to 4 herein, had elaborately dealt with the personal expenses of the petitioner as well as the expenses to be borne by him for his mother and ultimately fixed the maintenance of Rs.20,000/- per month assigning number of reasons. Admittedly, respondent Nos.3 and 4 are aged 11 years

and 6 years respectively. They are school going children. They require money for their educational expenses, clothing, books etc. There is a lot of hike in the fee of private schools. All these factors are to be taken into consideration while granting maintenance. Under these circumstances, this Court finds no infirmity in the orders of both the Courts below. The Criminal Petition is devoid of merit and is liable to be dismissed.

4. Accordingly, this Criminal Petition is dismissed.

Pending Miscellaneous Petitions, if any, shall stand closed.

09th February, 2018
Bvv



Dr. SHAMEEM AKTHER, J