

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL REVISION CASE NO.602 OF 2018

ORDER:

This revision is filed by the petitioner-husband under Sections 397 and 401 Cr.P.C. aggrieved by the order, dated 05.10.2017 in M.C.No.275 of 2013 on the file of the Judge, Family Court, Ranga Reddy District at L.B.Nagar, wherein maintenance of Rs.5,000/- per month to the 2nd respondent-wife and Rs.3,000/- per month to the 3rd respondent-daughter was granted from the date of petition.

2. Heard learned counsel for the petitioner. There is no representation on behalf of the respondents 2 and 3.

3. Learned counsel for the petitioner would submit that the parties have compromised to take divorce. Thereafter, the 2nd respondent has not come forward to take divorce. In total, the petitioner has to pay an amount of Rs.2,50,000/- out of Rs.7,00,000/- to obtain divorce. The same has been agitated before the trial Court. The trial Court had not taken into consideration those submissions. The petitioner has old age parents to maintain and ultimately, prayed to set aside the impugned order.

4. There is ample evidence on record to show that the petitioner has sufficient means to maintain the respondents 2 and 3, who are wife and daughter. The petitioner is working as School Assistant in Z. P. High School, Nandigama, Krishna District. There is no evidence on record to believe that the 2nd respondent left the company of the petitioner on her own. There is evidence on record to show that the 2nd respondent owns Ac.3.03 ½ guntas of land. But, it is not sufficient to maintain herself. There is evidence to show that the petitioner has sufficient

means to maintain respondents 2 and 3. As seen from the evidence, the petitioner is drawing gross salary of Rs.30,474/- per month. He has sufficient means to maintain his parents and respondents 2 and 3. Now-a-days cost of living is very high. Taking into consideration all the submissions and facts and circumstances of the case, the trial Court granted maintenance as referred supra, which is quite reasonable and not excessive. 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.

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

DATED: 25-04-2018.

Hsd

DR.SHAMEEM AKTHER, J

