

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

CIVIL REVISION PETITION No.2527 of 2018

ORDER:

This is a case where the revision petitioner challenges the order, dated 04.01.2018, passed by the learned Senior Civil Judge, Dharmavaram, Anantapuram District in I.A.No.89 of 2017 in O.P.No.66 of 2016.

2) The brief facts are that the revision petitioner is the respondent's husband. The respondent filed O.P.No.66 of 2016 invoking Section 24 of the Hindu Marriages Act to grant interim maintenance of Rs.6,000/- per month for food, shelter, clothing and medical expenses to her and Rs.3,000/- to her son and also Rs.10,000/- towards legal expenses.

3) Heard the learned counsel for the revision petitioner and perused the impugned order.

4) There is no dispute that the marriage of the revision petitioner and the respondent was solemnized in the year 2012 and, as a matter of fact, the respondent was blessed with a son and as on date, he is a school-going kid. She has no other means of survival and she is living at present with her parents. While it is the specific assertion of the respondent in the affidavit filed before the Court below that the revision petitioner is earning Rs.30,000/- per month by weaving sarees, the revision petitioner denied the same and submitted that he is only earning Rs.4,000/- per month. The Court below, having taken into consideration the respective submissions and particularly the admitted fact that he is a skilled labourer, did not believe his version that he is earning only Rs.4,000/- per month. This Court also can take judicial note of the fact that Dharmavaram is famous for silk sarees, which are not of the ordinary sarees, and they are only meant for special purposes, particularly for marriages and weaving of the

silk sarees requires a great amount of skill. In that view of the matter, there is no reason to disbelieve to the extent of specific assertion of the respondent that the revision petitioner is earning much more than Rs.4,000/- per month. However, it is also a fact, which can be taken note of, that the time for silk sarees is seasonal and in that view of the matter, it can be safely presumed that the revision petitioner would be earning at least a sum of Rs.20,000/- or Rs.30,000/- per month. The Revision Petitioner is also required to take care of himself and his other family members.

5) Taking into consideration all the aspects, the amount of Rs.5,000/-, which was granted in favour of the respondent by the Court below, which would hardly cater to the needs of herself and her school-going child, cannot be found to be excessive, particularly in view of the present days' growing inflation. In those circumstances, so far as the Court below directing Rs.5,000/- to be paid per month to the respondent cannot be found fault. So far as granting of Rs.10,000/- toward legal expenses is concerned, it is slightly on high side. Hence, the same is reduced to Rs.7,500/-.

6) Subject to the above modification, the Civil Revision Petition is disposed of. In as much as, the O.P. is of the year 2014 and taking into consideration the specific averments, the Court below shall initially make an effort to reconcile the matrimonial dispute and if it is not possible, shall proceed and conclude the determination as expeditiously as possible, preferably within a period of six months. There shall be no order as to costs.

7) Consequently, Miscellaneous Petitions pending, if any, shall stand closed.

CHALLA KODANDA RAM, J.

Date: 20.04.2018.
Ssv