

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

C.R.P.No.3420 of 2018

ORDER:

This revision petition is filed under Article 227 of the Constitution of India challenging the order dated 10.02.2018 in I.A.No.768 of 2016 in O.P.No.190 of 2016 on the file of the Court of Principal Judge, Family Court, at Hyderabad.

2. Heard the learned counsels appearing for both parties.
3. A perusal of the record reveals that the respondent herein filed O.P.No.190 of 2016 against the petitioner under Section 13 of the Hindu Marriage Act for dissolution of marriage. During pendency of the matter, the respondent herein filed I.A.No.768 of 2016 under Section 24 of Hindu Marriage Act, seeking interim maintenance. The trial Court allowed the petition in part and granted maintenance of Rs.15,000/- per month to the respondent. Hence, the revision.
4. At the time of arguments, both counsel with one voice submitted that the trial Court has not marked the documents filed by both parties.
5. In view of the submissions made by both parties, this Court is not inclined to go into the merits of the main case. Taking into consideration the facts and circumstances of the case, this Court is of the view that it is a fit case to remand the matter to the trial Court.
6. In the result, the Civil Revision Petition is allowed setting aside the order dated 10.02.2018 in I.A.No.768 of 2016 in O.P.No.190 of 2016 passed by the learned Principal Judge, Family Court,

Hyderabad. The matter is remanded to the trial Court for fresh disposal. The trial Court is hereby directed to mark the documents filed by both parties and pass orders in accordance with law. The trial Court is further directed to dispose of I.A.No.768 of 2016 within one month from the date of receipt of copy of this order. No order as to costs. As a sequel, miscellaneous petitions pending, if any, shall stand closed.

T.SUNIL CHOWDARY, J

26th June 2018
Rns

