

THE HON'BLE SRI JUSTICE SANJAY KUMAR  
CIVIL REVISION PETITION No.6673 OF 2018

ORDER

In the light of the order that this Court proposes to pass, it is deemed unnecessary to put the respondent on notice or afford him an opportunity of hearing.

The petitioner is the wife. The respondent-husband filed O.P.No.2442 of 2016 on the file of the learned XVI Additional District Judge-cum-Judge, Family Court, Ranga Reddy District at Malkajgiri, seeking dissolution of his marriage with the petitioner under Section 13(1)(ia) and (ib) of the Hindu Marriage Act, 1955 (*for brevity*, 'the Act of 1955'). I.A.No.1068 of 2017 was filed therein by the petitioner-wife under Section 24 of the Act of 1955 seeking payment of maintenance pending the disposal of the case.

Perusal of the docket proceedings in the said case reflects that the trial Court is not giving priority to this I.A. and is proceeding with the main case, having commenced the trial. This is not in keeping with the established legal tenets which mandate that an application under Section 24 of the Act of 1955 has to be given priority as it deals with payment of maintenance pending the case.

The civil revision petition is accordingly disposed of directing the trial Court to first take up I.A.No.1068 of 2017 in O.P.No.2442 of 2016 before proceeding with the trial in the case. Be it noted that this Court has not ventured into the merits of the matter and all issues are left open to be considered by the trial Court on merits and in accordance with law.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR,J

16<sup>th</sup> NOVEMBER, 2018

Note: Issue copy by Monday.  
(B/O) PGS

