

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL REVISION CASE No.2021 OF 2011

ORDER:

This criminal revision case is filed on behalf of the minor petitioner aggrieved by the order dated 27.04.2011 in M.C.No.88 of 2010, passed by the Additional Metropolitan Sessions Judge for the Trial of JHCBBC – cum – Additional Family Court – cum – XXIII Additional Chief Judge, Hyderabad, granting a monthly maintenance of Rs.1,800/- per month to the petitioner from 01.01.2011 as against the claim of maintenance of Rs.10,000/- per month.

2. Heard Sri A.Samir Kumar Reddy, learned counsel for petitioner and Sri Mohd. Asifuddin, learned counsel for 1st respondent.

3. When the matter came up for hearing, both the counsel, on instructions by their respective parties, would submit that in view of the fact that the minor petitioner is now studying intermediate, in order to enable him to smoothly pursue his education, the respondent herein is ready to pay a monthly maintenance of Rs.5,000/- from the date of filing of criminal revision case till the boy attains majority. For the purpose of calculation of his majority for the sake of awarding maintenance, both parties agreed that the date of birth of the boy as mentioned in his birth certificate and school record can be taken into consideration.

4. Accordingly, this criminal revision case is partly allowed and the maintenance awarded by the trial court @ Rs.1,800/- per month is enhanced to Rs.5,000/- per month with effect from the date of filing of the criminal revision case i.e., 12.09.2011 till the minor petitioner attains his majority. The respondent has to pay the monthly maintenance by 5th of every succeeding month. The arrears of maintenance shall be paid by the respondent within four months from the date of this order. For easy facilitation of the payment of monthly maintenance, the mother of the minor petitioner shall open a bank account in his name into which the respondent shall deposit the maintenance amount.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

04.12.2018
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U.DURGA PRASAD RAO, J