

THE HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD

CRIMINAL REVISION CASE NO.3003 OF 2018

ORDER:

This revision is arising out of order, dated 05.10.2018 passed in CrI.M.P.No.386 of 2018 in M.C.No.24 of 2017 by the Judge, Family Court-cum-VI Additional District and Sessions Judge, Kadapa, in granting interim maintenance of Rs.10,000/- per month to the 1st respondent herein and Rs.5,000/- per month to each of the respondents 2 and 3 herein.

2. Heard learned counsel for the petitioner, learned counsel for the respondents and perused the material on record.

3. Learned counsel for the petitioner (husband) submits that the petitioner is not doing any job now. Earlier, he used to work as Software Engineer in a private company and drawing Rs.25,000/- per month and he has no capacity to pay interim maintenance granted by the trial Court as stated above and therefore, sought for reducing the interim maintenance granted by the trial Court.

4. On the other hand, learned counsel for the respondents submits that the petitioner was earning Rs.1,50,000/- per month by working as Software Engineer in a private company and he is able to pay interim maintenance of Rs.20,000/- per month.

5. In view of submissions made by the learned counsel for the petitioner and the respondents and since the interim maintenance granted by the trial Court is only basing on the submissions made by the learned counsel for the respondents herein and not basing on any documentary

evidence and since the petitioner is out of job and he is unable to pay the interim maintenance and so far, he has not paid any maintenance and as the interim maintenance granted by the trial Court is on higher side, the same is reduced to Rs.14,000/- per month for the benefit of the respondents. If the petitioner does not pay the maintenance amount, the respondents would be at loss. Therefore, the interim maintenance granted by the trial Court is reduced from Rs.20,000/- per month to Rs.14,000/- per month. The petitioner is directed to pay the interim maintenance of Rs.14,000/- per month regularly till the disposal of M.C.No.24 of 2017. The petitioner is further directed to pay arrears at the same rate within a period of one month from the date of this order.

6. Accordingly, the Criminal Revision Case is partly allowed. Miscellaneous petitions, if any pending in this revision shall stand closed.

GUDISEVA SHYAM PRASAD, J

DATED: 11-12-2018

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