

HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

CIVIL REVISION PETITION No.7510 of 2018

ORDER :

Assailing the common order dated 28.09.2018, passed in I.A.Nos.288 and 680 of 2018 in FCOP No.165 of 2016, on the file of the Additional Family Court, Visakhapatnam, wherein the respondent – husband was directed to pay Rs.4,000/- towards interim maintenance and Rs.10,000/- towards legal expenses, the present revision is filed under Article 227 of the Constitution of India.

It is contended by the petitioner that the respondent herein is running the grocery shop of his father, earning money and hence pleads to set aside the order under challenge.

On the other hand, it is stated by the respondent that the petitioner is earning Rs.23,578/- and the father of the petitioner is a retired dockyard employee getting sufficient pension to meet his daily expenses. Hence, it would not be difficult for the petitioner to meet the expenses of his wife.

It is to be noted here that the order under challenge is for grant of maintenance, pending FCOP. As per the salary slip produced by the petitioner herein, which is marked as Ex.R1, the petitioner is earning net salary of Rs.23,578/- and gross salary of Rs.25,117/-. Hence payment of maintenance to his wife, as awarded by the Court below cannot be said to be

excessive or on a higher side. Further, admittedly the petitioner and the respondents are living separately and the respondent is dependant on her parents.

Hence, I see no grounds to interfere with the order under challenge. Accordingly, the C.R.P. is dismissed. However, the trial Court is directed to dispose of F.C.O.P.No.165 of 2016, as early as possible.

Consequently, miscellaneous petitions, if any, pending in shall stand closed. There shall be no order as to costs.



C.PRAVEEN KUMAR, J

Date: 21.12.2018
vnb