

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

Criminal Revision Case No.3312 of 2017

JUDGMENT:

Heard Smt. D. Satyavathi, learned counsel for the petitioner, and the learned Assistant Public Prosecutor for the State of Andhra Pradesh.

Learned counsel would submit she has filed Memo in proof of service of notice on the 2nd respondent.

In fact, not much deliberated in the present case, the reason being that the Judge, Additional Family Court, Visakhapatnam, while allowing FCOP No.143 of 2012, awarded maintenance of Rs.1,000/- per month to the 1st petitioner-wife and Rs.1,200/- per month to the 2nd petitioner-child in FCOP No.1071 of 2012, however, directed that the said amounts are to be paid from the date of passing of the Common Order, dated 31.7.2017.

Learned counsel for the petitioner places reliance on a ruling of the **Hon'ble Supreme Court in Jaiminiben Hirenghai Vyas & another v. Hirenghai Rameshchandra Vyas & Another**, Criminal Appeal No.2435 of 2014 (Arising out of SLP (Crl.) No.3345 of 2013), dated 19.11.2014, wherein the Hon'ble Apex Court held that directing payment of maintenance from the date of order, but not giving any reason therefor as unsustainable.

Therefore, to the extent of the plea that the relief which is claimed in the present Criminal Revision Case that the maintenance

amounts awarded by the Court below be directed to be paid from the date of petition, but not from the date of passing of order, the present Criminal Revision Case is allowed.

As a sequel thereto, Miscellaneous Petitions, if any, pending in the Criminal Revision Case, shall stand closed.

A. SHANKAR NARAYANA, J

January 04, 2018.

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