

THE HON'BLE SRI JUSTICE P.KESHA RAO

CRIMINAL REVISION CASE No.3108 OF 2017

ORDER:

This Criminal Revision Case is filed aggrieved by the orders dated 23.10.2017 in M.P.No.1733 of 2016 in M.C.No.163 of 2016 on the file of the Additional Metropolitan Sessions Judge for the trial of JHCBBC-cum-Additional Family Judge, Hyderabad awarding a sum of Rs.10,000/- per month, each to the respondents 2 & 3 herein towards interim maintenance.

Heard both the counsel and perused the material on record.

The facts of the case are that the respondents 2 and 3 herein are the wife and minor daughter of the petitioner herein. They filed M.C.No.163 of 2016 against the petitioner herein claiming a sum of Rs.1,00,000/- per month for 2nd respondent and Rs.50,000/- per month for the 3rd respondent herein towards maintenance from the date of the petition. Pending the main M.C., they filed M.P.No.1733 of 2016 claiming interim maintenance at the same rate. The Court below, after hearing the parties, by the impugned orders, directed the petitioner herein to pay a sum of Rs.10,000/- each per month to the respondents 2 and 3 herein towards interim maintenance pending the main case. Aggrieved by the same, the present revision case is filed.

From a perusal of material on record, the admitted facts are that the petitioner herein is a Post-graduate Doctor working at Bangalore. Though in the impugned orders, the financial status of the petitioner is not discussed in detail, as an interim measure, a sum of Rs.10,000/- each was fixed to the respondents 2 and 3

towards interim maintenance. During the course of hearing before this Court, both the counsel are not able to place anything on record as to the income of the petitioner herein as well as the financial status of the respondents 2 and 3.

Be that as it may, since the impugned orders are passed only as a temporary measure, pending the main case, this Court is not inclined to interfere with the impugned orders passed by the Court below. However, having regard to the facts of the case, the impugned orders are modified and the petitioner is directed to pay a sum of Rs.7,500/- per month each to the respondents 2 and 3 herein towards interim maintenance pending the main M.C. The arrears accrued as on today shall be paid at the same rate to the respondents 2 and 3 within a period of one month from the date of receipt of copy of the order, in default whereof, the respondents 2 and 3 are at liberty to take appropriate steps for recovery of the same. Further the Court below is directed to dispose of the main M.C. on merits within a period of four months from the date of receipt of a copy of this order.

With the above said observations, the Criminal Revision Case is disposed of.

Pending miscellaneous petitions, if any, shall also stand closed.

P.KESHA VA RAO,J

18th JUNE 2018.
Tsr