

Crl.M.P.No.9715 of 2019
in
Crl.O.P.No.12019 of 2019

N. ANAND VENKATESH, J.

This petition has been filed seeking for modification of the conditions imposed by this Court by order dated 30.04.2019.

2.The first petitioner who is the husband of the respondent was directed to deposit a sum of Rs.5,000/- (Rupees Five Thousand only) every month to the credit of D.V.C.NO.21 of 2019.

3.The learned Counsel for the petitioner submitted that the respondent has also filed a maintenance case and an ex-parte order was passed in the said case to the effect that the first petitioner should pay a sum of Rs.6,000/- (Rupees Six Thousand only) to the wife and Rs.4,000/- (Rupees Four Thousand only) to the child. The petitioner has taken steps to file a petition to set aside the ex-parte order and to contest the same on merits. The apprehension of the petitioners is that the first petitioner will be made to independently pay maintenance in the M.C. case also. Therefore the petitioners want to deposit a sum of Rs.5,000/- (Rupees Five Thousand only) ordered by this Court as interim monthly maintenance, in the M.C. proceedings.

4.The relief as sought for by the petitioners cannot be granted by this Court. The conditional order passed by this Court will confine itself to the Domestic Violence case that is pending before the Family Court, Puducherry. It is always left open to the first petitioner to independently contest the maintenance case, where he has already filed a petition to set aside the ex-parte order and also bring to the notice of the concerned Court about the interim maintenance that has been ordered by this Court in the present proceedings. It is left open to the concerned Court to take a decision in accordance with law.

5.This Criminal Miscellaneous Petition is disposed of accordingly.

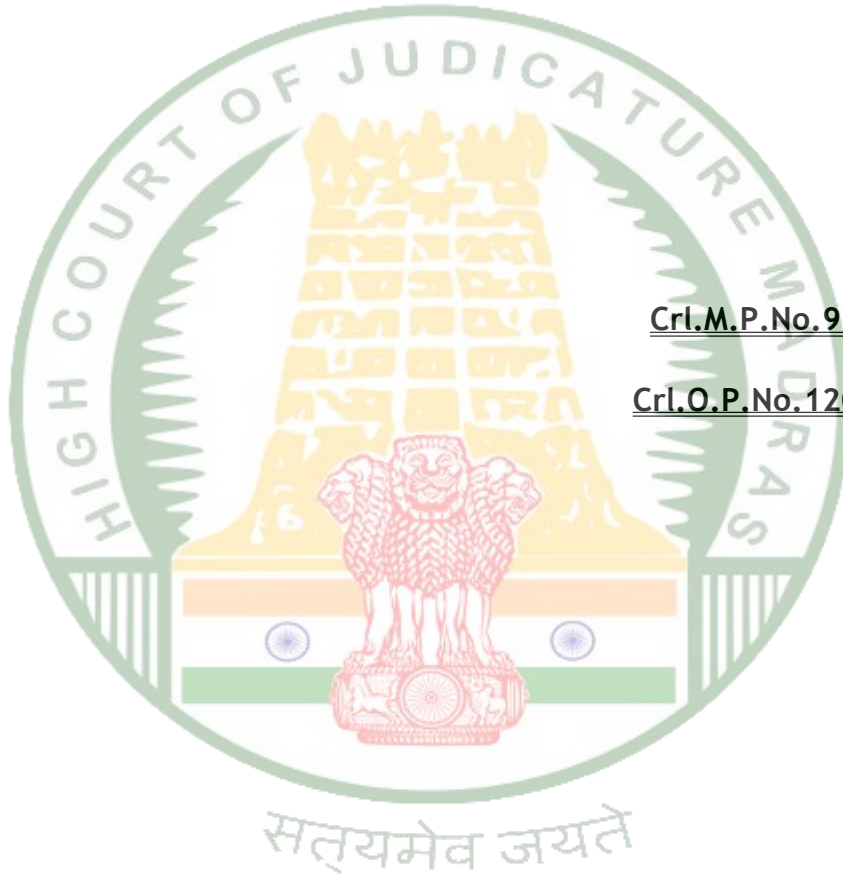
18.07.2019

Index :Yes/No
Internet:Yes/No
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