

HONOURABLE DR. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.41 of 2019

ORDER:

The petitioner is respondent in MC.No.106 of 2016 maintained by his wife and minor child aged about 2 years or so i.e., respondent Nos.1 & 2 to the present petition.

Pending the maintenance case, the learned I Additional Judge, Family Court, Ranga Reddy District, in Crl.M.P.No.169 of 2017 granted interim maintenance of Rs.5,000/- per month to the wife and Rs.2,500/- per month to the minor child from date of the petition i.e., from 17.05.2017. It was by order dated 26.09.2018 by granting 3 months time to pay arrears. As the arrears not paid it is under execution. Impugning said interim maintenance quantum and also the entitlement, the present petition is filed.

It is in fact it is the interim maintenance award that too there is relation of man and wife and child born in their wedlock that too when he filed pay slip showing drawing total earnings of Rs.26,737/- and net salary of Rs.25,181/-. Once such is the case, but for to say it will not influence the Court in disposal of the main maintenance case, there is nothing to interfere with the interim maintenance award.

Having regard to the above, this Criminal Petition rather than dismissal, disposed of by directing the petitioner to pay half of the arrears by end of February 2019 and remaining half of the arrears by end of March 2019 and with a further direction to the learned Judge, Family Court, to dispose of the main maintenance case within three (3) months from the date of receipt of this order.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 07.02.2019
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