

**HONOURABLE JUSTICE G. SRI DEVI**

**CRIMINAL REVISION CASE No.1205 of 2005**

**ORDER:**

This Criminal Revision Case has been filed by the petitioner challenging the order dated 29.04.2005 passed by the learned Additional Metropolitan Sessions Judge for the trial of Jubilee Hills Car Bomb Blast Case-cum-Additional Family Court, Hyderabad, whereby directed the present revision petitioner-respondent to pay maintenance at the rate of Rs.800/- per month to each of the petitioners 1 to 3-respondents 1 to 3 herein from the date of the application i.e., 02.08.2004.

2. It is the contention of the learned counsel for the petitioner that the order under revision is wrong, illegal and unreasonable and the Court below has not applied its mind while granting maintenance to the respondents herein. The Court below has not taken into consideration that the petitioner is not earning anything after returning from Saudi Arabia and he is fully dependent upon his mother. It is further submitted that the Court below did not appreciate the fact that the petitioner has already lost his job and he is not having any source of income presently and as stated earlier he is depending upon his mother. It is further submitted that the Court below wrongly held that the petitioner has sufficient means to award maintenance relying upon the complaint of the respondents which is not supported by any evidence and

no document whatsoever was filed by the respondents to show the income of the petitioner. The Court below also did not apply its mind and came to the erroneous conclusion for which the petitioner is the sufferer. The trial Judge did not give any reasons while allowing the maintenance from the date of the application which is necessary according to law and which was not at all prayed by the respondents and sought to allow the revision by setting aside the impugned order.

3. In spite of notice served on the respondents, none appears on behalf of the respondents.

4. In the absence of the respondents, heard learned counsel for the petitioner and perused the material on record.

5. A perusal of the impugned order passed by the learned Judge has been categorically dealt with by the learned trial Court Judge that the petitioner was having a shop in the name and style of Syed Jaleel Traders bearing No.10-1-1194/4, AC Guars, behind Azad School, considering the facts and circumstances of the case and also the nature of work and earning capacity of the respondent and needs of the petitioners, the Court below felt that it is just to award an amount of Rs.800/- per month to each of the petitioners 1 to 3 from the date of application i.e., 02.08.2004 as the interim maintenance is not granted in this case.

6. A perusal of the said order passed by the learned trial Court shows that it has considered all the aspects and awarded just compensation to the respondents' payable by the petitioner, he being the husband of respondent No.1 and father of respondent Nos.2 & 3, I do not find any illegality or irregularity in the impugned order. The petitioner has not shown any other valid grounds to interfere with the order passed by the learned Judge and to set aside the impugned order and the revision is liable to be dismissed as there are no merits.

7. Accordingly, this Criminal Revision Case is dismissed.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

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**JUSTICE G. SRI DEVI**

Date: 16.11.2019  
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