

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

CIVIL REVISION PETITION No.1395 of 2019

ORDER :

This Revision is filed challenging the order dt.17-04-2019 in I.A.No.154 of 2019 in F.C.O.P.No.27 of 2017 of the Judge, Family Court-cum-VI Additional District Judge at Khammam.

2. Petitioner herein is husband of the respondent.
3. He filed the O.P. against the respondent for dissolution of their marriage which took place on 11-05-2014 on the ground of cruelty etc.
4. Pending the said O.P., the respondent filed I.A.No.154 of 2019 under Section 24 of the Hindu Marriage Act, 1955 to direct the petitioner to pay Rs.10,000/- p.m. towards interim maintenance and Rs.30,000/- towards legal expenses.
5. In the affidavit filed in support of the said application, she stated that she has no moveable or immoveable properties to maintain herself. She contended that petitioner has a duty to maintain her but he is not doing so.
6. Counter-affidavit was filed by petitioner opposing the said application alleging that respondent is working as a Lecturer in Manair College of Law, Khammam and drawing handsome amounts

to meet her maximum necessities. He alleged that he is not doing any work.

7. By order dt.17-04-2019, the Court below partly allowed the application and granted Rs.6,000/- p.m. as maintenance and Rs.15,000/- towards legal expenses. It observed that petitioner failed to show that respondent was gainfully employed; that respondent had contended that petitioner is a Software Engineer at Hyderabad and getting Rs.60,000/- p.m. towards his salary, but he did not specifically deny the allegation leveled by respondent that he was employed as Software Engineer in Hyderabad.

8. Assailing the same, this Revision is filed.

9. Though learned counsel for petitioner contended that respondent is gainfully employed as lecturer in Law College and earning considerable amounts, no evidence has been adduced by petitioner in support of the said plea in the Court. The petitioner has an obligation to maintain the respondent and since amounts awarded towards interim maintenance and legal expenses are not much, I do not see any error of jurisdiction in the order passed by the Court below warranting interference by this Court under Article 227 of the Constitution of India.

10. Accordingly, the Civil Revision Petition fails and is dismissed at the admission stage.

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

JUSTICE M.S.RAMACHANDRA RAO

Date: 09-07-2019

Vsv

