

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CIVIL REVISION PETITION No.1686 of 2019

ORDER:

This civil revision petition is filed under Article 227 of the Constitution of India, by the petitioner/husband, aggrieved by the order dated 11.03.2019 passed in I.A.No.250/2018 in HMOP.No.22/2017, by the learned Additional Senior Civil Judge at Kothagudem, wherein the Court below allowed the said I.A filed by the respondent/wife and granted interim maintenance of Rs.5,000/- per month to the respondent/wife and Rs.2,000/- per month to each of the two children, totalling Rs.9,000/- per month.

2. Heard the learned counsel for the petitioner/husband, learned counsel for the respondent/wife and perused the record.

3. Learned counsel for the petitioner/husband would contend that the petitioner/husband is a painter and hardly gets Rs.200/- to Rs.300/- per day and he will not get the painting work everyday. The maintenance granted by the Court below is excessive and beyond the capacity of petitioner/husband to pay, and ultimately prayed to set aside the impugned order.

4. There is no dispute that the petitioner and the respondent are husband and wife and they were blessed with two children. Due to some differences between them, they are living separately. The Court below granted interim maintenance of Rs.5,000/- per month to the respondent/wife and Rs.2,000/- per

month to each of two children. The cost of living, educational and other expenses are very high now-a-days. The two children are required to be educated. The quantum of maintenance granted in favour of respondent/wife and two children is not excessive and not beyond the capacity of the petitioner-husband to pay. It is the bounden duty of the revision petitioner-husband to maintain his wife and children. The Court below is justified in passing the impugned order. There is no illegality or infirmity in the order under challenge. The civil revision petition is devoid of merit and is liable to be dismissed.

5. Accordingly, the Civil Revision Petition is dismissed at the admission stage.

Miscellaneous petitions, if any, pending in this revision petition shall stand closed. There shall be no order as to costs.

Date: 05.11.2019

grk

Dr. SHAMEEM AKTHER, J