

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.11692 of 2018

ORDER:

Heard the learned counsel for petitioner and learned counsel for respondents 1 and 2.

The petitioner and respondents herein are none other than respondent and petitioners respectively in CrI.M.P.No.197 of 2018 in M.C.No.41 of 2018 on the file of the Judge, Family Court-cum-VI Additional District Judge, Khammam where, by the impugned order dated 03.10.2018, learned Judge, pending M.C.No.41/2018 for maintenance claim of Rs.25,000/- per month, awarded interim maintenance of Rs.5,000/- each to the wife and minor son respectively. The impugment is, the petitioner is a student and he has no means of income to maintain his wife or minor son. It is not even his case that his wife is doing any job and he is not an abled body. Once he is abled body, he cannot decline to maintain his wife and minor son under the guise that he doing Ph.D.

Having regard to the above, there is nothing to interfere with the interim order but for to say it will not influence the trial Judge in deciding the quantum of maintenance in the main maintenance case.

With a direction to dispose of M.C.No.41 of 2018 within four months from the date of receipt of copy of this order, the criminal petition is disposed of. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date:22.01.2018
dv

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