

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.1196 OF 2020

ORDER:

This Criminal Petition, under Section 482 of Code of Criminal Procedure, 1973, is filed by the petitioners seeking to direct the Court of learned IV Additional District & Sessions Judge-cum-I Additional District Judge, Family Court, Ranga Reddy District, to dispose of the CrI.M.P.No.6 of 2020 in CrI.M.P.No.73 of 2016 in M.C.No.120 of 2016, as expeditiously as possible.

2. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor representing the 2nd respondent-State. Perused the record.

3. Learned counsel for the petitioners submits that the petitioners filed CrI.M.P.No.6 of 2020 for issuance of the arrest warrant to the 1st respondent for violating the orders passed in CrI.M.P.No.73 of 2016 and to direct the 1st respondent to pay the arrears of maintenance of Rs.4,00,000/- and continue to pay the monthly maintenance; that the 1st respondent though present on 03.02.2020, did not file counter and the matter was posted to 10.02.2020 and insisting for proceeding with the main case; that unless and until the CrI.M.P.No.6 of 2020 filed for enforcement of the orders passed in CrI.M.P.No.73 of 2016 is pending and without passing any orders, insisting to proceed with the main case is wholly illegal and if the Court below is allowed to proceed with the main case i.e., M.C.No.120 of 2016, without passing

any orders in CrI.M.P.No.6 of 2020 would deprive the petitioners of their lawful right to get the arrears of maintenance and the petitioners would suffer irreparable loss; and hence, prayed to direct the Court below to dispose of the CrI.M.P.No.6 of 2020, as expeditiously as possible.

4. In the light of the submissions made by the learned counsel for the petitioners, the Criminal Petition is disposed of directing the IV Additional District & Sessions Judge-cum-I Additional District Judge, Family Court, Ranga Reddy District, to dispose of the CrI.M.P.No.6 of 2020 in CrI.M.P.No.73 of 2016 in M.C.No.120 of 2016, as expeditiously as possible, preferably within a period of two (02) weeks from today.

Miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

JUSTICE G SRI DEVI

Date: 19th February, 2020

KL