

THE HONOURABLE DR. JUSTICE D.NAGARJUN

CRIMINAL REVISION CASE No.1012 of 2010

ORDER:

This Criminal Revision Case is filed aggrieved by the Order dated 15.04.2010 in M.P.No.1475 of 2009 in M.C.No.323 of 2007 on the file of the learned Additional Family Judge-cum-Additional Metropolitan Sessions Judge for trial of JHCBBC-cum-XXIII Additional Chief Judge, Hyderabad wherein the trial Court directed the petitioner to be arrested and committed to prison for a period of twelve months.

02. The facts as can be seen from the record would show that the respondent No.1 is the wife and respondent No.2 is the son of petitioner through respondent No.1. There is no dispute that the petitioner is the husband of the respondent No.1. The disputes arose between the petitioner and respondent No.1. The respondent No.1 has filed M.C.No.323 of 2007 seeking maintenance and the same was allowed directing the petitioner to pay an amount of Rs.1,500/- per month each to the respondents Nos.1 and 2.

03. In respect of the arrears of maintenance to be paid the respondents Nos.1 and 2 have filed a petition in CrI.M.P.No.1475 of 2009 seeking a direction to pay Rs.1,50,000/- before the trial Court. The trial Court after hearing both sides, the trial Court directed the petitioner to be arrested and committed to prison for a period of twelve months.

04. While suspending the impugned order, this Court has passed interim order dated 20.05.2010 directing the petitioner to pay an amount of Rs.20,000/- within a period of four weeks and permitted to withdraw the said amount.

05. These orders were passed way back in the year 2010. There is no record that subsequently from the respondent No.1 and 2 whether the petitioner committed any default of directions of this Court.

06. As seen from the docket proceedings, there is no representation on behalf of the petitioner and the matter has been posted 'for orders' and even today there is no representation from the petitioner.

07. Considering the circumstances, this Court is of the opinion that the cause of action must have been expired to the petitioner and respondent, therefore, none appeared before this Court and this Criminal Revision Case is liable to be dismissed as infructuous.

08. Accordingly, this Criminal Revision Case is dismissed as infructuous. There shall be no order as to costs.

As a sequel, pending Miscellaneous Applications in this matter, if any, shall stand closed.

DR. D.NAGARJUN, J

Date: 15-Nov-2022
KHRM

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