

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL REVISION CASE No.94 OF 2020

JUDGMENT:

This revision is filed by the petitioner-husband questioning the order dt.03.03.2018, passed in CrI.M.P.No.263 of 2016 in M.C.No.2 of 1995 by the Judge, Family Court, Warangal, whereby the learned Judge, Family Court, enhanced maintenance amount granted to the 2nd respondent from Rs.500/- to Rs.5,000/-.

2. Heard learned counsel for the petitioner-husband and learned Additional Public Prosecutor for the respondent – State. Perused the record.

3. Initially, in the year 1995 an amount of Rs.500/- was granted to the 2nd respondent-wife towards maintenance. However, on an application filed under Section 127 of Cr.P.C. to enhance the maintenance amount from Rs.500/- to Rs.30,000/-, the learned Judge, Family Court, Warangal, by order dated 03.03.2018, enhanced the maintenance to Rs.5,000/- per month and directed the petitioner to pay the said maintenance amount.

4. Learned Counsel for the petitioner would submit that there are no reasons given by the Family Court Judge in enhancing the maintenance amount, ten times. He further submits that the 2nd

respondent-wife was receiving old age pension and this petitioner who is aged more than 65 years is unable to maintain himself, as such, question of giving maintenance to the wife does not arise.

5. The order of the Family Court Judge does not suffer from any infirmity. The learned Judge found that there is steep hike in the value of essential commodities and a person to maintain herself, Rs.5,000/- amount would meet the requirements.

6. However, keeping in view that the 2nd respondent is receiving some old age pension, this Court deems it appropriate to reduce the maintenance to Rs.4,000/- per month. The petitioner shall pay the arrears within three months from the date of receipt of a copy of this order, calculating the maintenance from 03.03.2018. The petitioner shall continue to pay the maintenance at Rs.4,000/- per month.

7. Accordingly, The Criminal Revision Case is disposed off.

Miscellaneous applications pending, if any, shall stand closed.

Date: 01.03.2023
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K.SURENDER, J

THE HON'BLE SRI JUSTICE K.SURENDER

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Dt. 01.03.2023

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