



IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
MONDAY, THE TWENTIETH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE T MALLIKARJUNA RAO

IA No. 1 OF 2023

IN

CRLRC NO: 703 OF 2023

Between:

Shaik Mohammed Ali, S/o. Shaik Nanne Sab, Aged about 33 Years, Occ. SAAP Judo Coach, Pulivendula, YSR (Kadapa) District N/o. D.No.I-09-1, Beluguppa Village and Mandal, Anantapuramu District

... Petitioner

AND

1. Shaik Sumiya Sulthana, W/o. Shaik Mohammad Ali, Aged about 25 Years, R/o. D.No.15-469, Surya Nagar, Anantapuramu District
2. Shaik Mahammad Vihan, S/o. Shaik Mahammad Ali, aged about 5 years, Rep by its Gurdian/mother Shaik Sumiya Sulthana R/o. D.No.15-469, Surya Nagar, Anantapuramu District
3. The State of Andhra Pradesh, Rep by its Public Prosecutor, High Court of Andhra Pradesh at Amaravati

... Respondent

Petition under Section 482 of Cr.P.C, praying that in the circumstances stated in the memorandum of grounds filed in support of the Criminal Petition, the High Court may be pleased to suspend the proceedings of decree and order dated 02.06.2023 made in F.C.O.P.No.74 of 2022 on the file of the Family Court-cum-VII Additional District Judge, Anantapuramu, Pending disposal of CRLRC No. 703 of 2023, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the order of the High Court dated 16.08.2023 made in Crlrc No.703 of 2023 and upon hearing the arguments of Sri SHAIK MOHAMMED ISMAIL Advocate for the Petitioner and of Sri SIVA NAGARJUNA SIDHADAPU, Advocate for Respondent Nos. 1 and 2, Public Prosecutor for Respondent No.3, the Court made the following
ORDER .

"This is an application filed by the petitioner seeking to suspend the proceedings of the decree and order dated 02.06.2023 passed in F.C.O.P. No.74 of 2022 on the file of the Family Court-cum-VII Additional District Judge, Anantapuram, pending disposal of the main revision case.

Heard learned counsel for the petitioner.

Learned counsel for the petitioner submits that learned Family Court granted monthly maintenance of Rs.10,000/- to the 1st petitioner and Rs.5000/- to the 2nd petitioner from the date of passing of the order. Learned counsel for the petitioner further submits that the petitioner herein gets only Rs.19,500/- per month. In support of the said contention he relies on his pay slip for the month of October, 2022, it seems that the said document is marked as Ex.B4 and the same was also observed by the Family Court at para No.24 of the order. The respondent No.1 herein also admitted that the petitioner is getting Rs.19,500.

Having regard to the facts & submissions and when there is material on record *prima facie* shows that the petitioner is getting Rs.19,500/- per month, it is somewhat difficult to direct the petitioner herein to pay Rs.15,000/- per month to the respondents herein.

In the said circumstances, this Court inclined to grant interim suspension of the Order on the condition that the petitioner herein shall initially pay the arrears of maintenance amount before the next date of hearing and later shall continue to pay Rs.6,500/- per month to the 1st respondent and Rs.2,500/- per month to the 2nd respondent herein, on or before 10th of every succeeding month towards the current maintenance by reducing from Rs.15,000/- per month for both the petitioners. In default of the above conditions, as ordered supra, the interim suspension granted today, shall stand cancelled automatically without further reference to the Court. "

SD/- K.J.RAJA BABU
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Family Court-cum-VII Additional District Judge, Anantapuramu.
2. Shaik Sumiya Sulthana, W/o. Shaik Mohammad Ali, Aged about 25 Years, R/o. D.No.15-469, Surya Nagar, Anantapuramu District
3. Shaik Mahammad Vihan, S/o. Shaik Mahammad Ali, aged about 5 years, Rep by its Gurdian/Mother Shaik Sumiya Sulthana R/o. D.No.15-469, Surya Nagar, Anantapuramu District (2 TO 3 by RPAD)
4. Two CCs to the Public Prosecutor, High Court of Andhra Pradesh.[OUT]
5. One CC to SRI. SHAIK MOHAMMED ISMAIL Advocate [OPUC]
6. One CC to SRI. SIVA NAGARJUNA SIDHADAPU Advocate [OPUC]
7. One spare copy

HIGH COURT

TMRJ

DATED:20/11/2023

POST AFTER SIX WEEKS

ORDER

IA No. 1 OF 2023
IN
CRLRC NO: 703 OF 2023

INTERIM SUSPENSION

