

ORDER ON APPLICATION FILED U/S.91 OF CR.P.C.

This application is filed by the petitioner for summing the salary certificate/payslip of the respondent from his employer.

In the application it is stated that the respondent is working as Assistant of Horticultural Officer, (AHO) Horticultural Department State Division at Kadur and he is drawing monthly salary of Rs.75,000/-. Though there is direction to pay the maintenance in the Criminal Miscellaneous case, he has not paid maintenance amount. Therefore, it is just and necessary to call for Payslip/Salary slip from the Assistant of Horticultural Officer, (AHO) Horticultural Department State Division at Kadur for attaching the salary of the respondent.

The respondent counsel not filed any objection.

It is pertinent to note that this court in Crl. Misc.No.264/2018 vide order dated: 18.03.2023 directed the respondent to pay maintenance of Rs.5,000/- each to the petitioner No.1 and 2. However, since the respondent has not paid any maintenance amount, the petitioners have filed petition for arrears of maintenance and the present application is arrears out of the same. For summoning the salary Certificate of the respondent, who is said to be working as Assistant of Horticultural Officer, (AHO) Horticultural Department State Division at Kadur. In view of the no objection the said application no hand and having regard to the facts and circumstance of the case. The till today no maintenance paid to the petitioners, this court deem it fit that the if salary certificate is summoned it would be helpful to the court for attaching his salary in compliance of the order to pay the maintenance. Hence, the following.

ORDER

The application filed U/s. 91 of Cr.P.C. by the petitioners is allowed.

The Assistant of Horticultural Officer, (AHO) Horticultural Department State Division at Kadur is directed to produce the salary certificate of the respondent.

Sri.H.Narasimhamurthy S/o Late Hanumanthappa, for the month of September 2024 to this court by the next date of hearing.

Call on 01.10.2024.

Sd/-

II Addl. Civil Judge and JMFC.,
Kadur.