

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
MONDAY, THE FOURTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY TWO

:PRESENT:
THE HONOURABLE SRI JUSTICE D RAMESH

CRIMINAL REVISION CASE NO: 326 OF 2020



Between:

D. Sudhakar Reddy, S/o D. Pulla Reddy, Aged 62 years, Occ: Retd. Employee, R/o.H.No.76-118, Ward No.43, Krishna Reddy Nagar, Old IV Town P.S., Building Kurnool, Kurnool District, A.P.

...Revision Petitioner/Respondent

AND

1. Deevaguntla Venkateswaramma, W/o Deevagunta Sudhakar Reddy, Aged 50 years, Hindu, House wife.
2. D. Vineetha Reddy, D/o. D. Sudhakar Reddy, Aged about 23 years, Occ Household

Both R/o.H.No.87/657 Madhavi Nagar, B-Camp, Kurnool A.P.

...Respondents/Petitioners

3. The State of Andhra Pradesh, Rep. by its Public Prosecutor, High court at Amaravati

...Respondent

Revision filed under Sections 397 & 401 of Cr.P.C., praying that in the circumstances stated in the memorandum of grounds filed in support of the Criminal Revision Case, the High Court may be pleased to allow the Revision petition by setting-aside the order passed in FC M.C.No.30/2018 on the file of the Hon'ble IV Addl. District Judge cum Family Court, Kurnool dated 10-02-2020.

IA NO: 1 OF 2020

Petition filed under Section 482 of Cr.p.C praying that in the circumstances stated in the memorandum of grounds filed in support of the Criminal Revision Case petition, the High Court may be pleased to suspend the operation of the order in FC M.C.No.30/2018 on the file of the Hon'ble IV Addl. District Judge-cum-Family Court, Kurnool dated 10-2-2020, Pending disposal of CRLRC 326 of 2020, on the file of the High Court.

The petition coming on for hearing, upon perusing the Criminal Revision Case and the memorandum of grounds filed in support thereof and the earlier orders of the High Court order dated 10.08.2020 made herein and upon hearing the arguments of Sri K. Viswanatham, Advocate for the Petitioner, and of Public Prosecutor for the Respondent No.3, and of Sri C.B. Ram Mohan Reddy, Advocate for the Respondent Nos.1 and 2, the Court made the following.

ORDER:

“Admit.

Notice.

Call for records.

Learned counsel for the petitioner submitted that the petitioner is a retired employee and he processed his application for pension benefits, however, the pension proposals were returned on 31.10.2018 on the ground that no signatures of his wife are found in the descriptive Rolls (Annexure-I).

In the said circumstances, the claim of the petitioner was not approved, the petitioner could not be able to deposit the amount as directed by the Court below in Crl.M.P.No.104/2018 in FCMC No.30 of 2018 vide order dated 31.08.2018.

After hearing the arguments of the learned counsel for the petitioner, this Court has not found any piece of paper showing that the request made by the petitioner for signatures in the pension papers and denial by the respondent. So also there is no evidence to show that the petitioner has requested the respondent to sign the pension proposals. Therefore, this Court is not inclined to grant Stay. It is for the petitioner to obtain signatures on the pension papers, if at all the petitioner made any request, the respondent may sign on the pension papers, however, this could not be a ground for denial of the interim maintenance granted by the court below in Crl.M.P.No.104 of 2018 in F.C.M.C.No.30 of 2018, hence, liberty is given to the respondent to move appropriate application before the concerned court for payment of due amount of maintenance."

SD/- M.SURYANADHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The IV Additional District Judge Cum Family Court, Kurnool.
2. One CC to Sri. K. Viswanatham, Advocate [OPUC]
3. One CC to SRI. C.B. Ram Mohan Reddy, Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court of Andhra Pradesh [OUT]
5. One spare copy

VD

HIGH COURT

DRJ

DATED:14/02/2022

ORDER

CRLRC.No.326 of 2020

DIRECTION

