

**HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD**

**TUESDAY, THE TWENTY THIRD DAY OF MARCH  
TWO THOUSAND AND TWENTY ONE**

**PRESENT  
THE HON'BLE THE CHIEF JUSTICE HIMA KOHLI  
AND  
THE HON'BLE SRI JUSTICE B.VIJAYSEN REDDY**

**FCA .No. 224 of 2017**

Between:

Pogaku Nagaraju, S/o. Lingaiah, Aged 29 years, Occ: Private Job, R/o R.T.C.  
Colony, Nalgonda Town, Nalgonda District, T.S.

**Appellant/Petitioner**

**AND**

Pogaku Vani, W/o. Nagaraju, Occ: Household, R/o. Seethampeta Village, Opp:  
Shivalayam, Hasanparthy Mandal, Warangal District, T.S.

**Respondent/Respondent**

Counsel for the Appellant : Sri. K.Mahipathi Rao  
Counsel for the Respondent : Sri Bommagani Prabhakar

Appeal under Section 19 of Family Courts Act, preferred to the High Court against the order of the Court of the Family Judge at Warangal, Warangal District made in FCOP.No.217 of 2014, dated 03-03-2017.

The appeal coming on for hearing, upon perusing the Petition and grounds filed herein and the order of the High Court dated 02-08-2017, 30-8-2017 & 26.10.2017 made herein, the Court made the following

**ORDER:**

1. On the last date of hearing, the parties were directed to be present.
2. The facts of the case reveal that the marriage of the parties was solemnized on 28.11.2009. A son was born from the marriage on 28.08.2010. In the year 2013, the respondent/wife was thrown out of the matrimonial home. It is the version of the appellant/husband that the respondent/wife voluntarily left for her parents' house without intimating him or taking his prior permission. It is not in dispute that since the year 2013, the respondent/wife, who is a homemaker, is attending to the ten year old epileptic son. The maintenance fixed by the learned Family Court is stated to be

Rs.2,000/- per month for the respondent/wife and Rs.2,000/- per month for the child i.e., total of Rs.4,000/- per month.

3. Learned counsel for the respondent/wife states that even the paltry maintenance of Rs.4,000/- per month is not being paid by the appellant/husband and he has been in default for the past one year. It is stated that only after the orders were passed by this Court in the beginning of this month, that a sum of Rs.16,000/- has been paid by the appellant/husband to the respondent/wife.

4. Till the appellant/husband clears the entire arrears of maintenance payable to the respondent/wife, we are not inclined to hear the present matter on merits.

5. Learned counsel for the appellant/husband assures this Court that the arrears of maintenance shall be cleared within one week from today. Proof of deposit shall be placed on record. The appellant/husband is cautioned that any further default on his part in paying the maintenance to the respondent/wife and their son shall be viewed seriously. Further, having regard to the medical condition of the son of the parties, who is in the care and custody of the mother, it is deemed appropriate to direct the appellant/husband to pay a sum of Rs.10,000/- to the respondent/wife within two weeks from today to enable her to get his treatment done.

6. List on 16.04.2021.

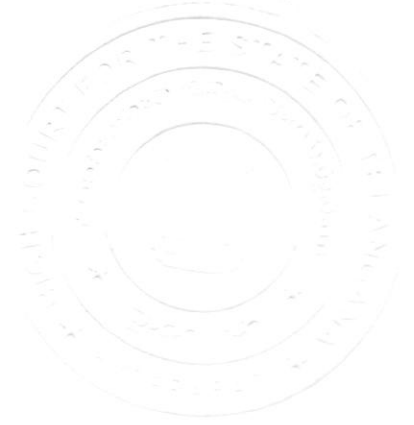
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SD/- K. VENKAIAH  
ASSISTANT REGISTRAR

KIC  
SECTION OFFICER

To

1. Pogaku Vani, W/o. Nagaraju, R/o. Seethampeta Village, Opp: Shivalayam, Hasanparthy Mandal, Warangal District, T.S. (**By SPEED POST/ RPAD**)
2. Pogaku Nagaraju, S/o. Lingaiah, R/o. RTC Colony, Nalgonda Town, Nalgonda District, T.S. (**By SPEED POST/ RPAD**)
3. One CC to Sri K.Mahipathi Rao, Advocate (OPUC)
4. One CC Sri Bommagani Prabhakar, Advocate (OPUC)
5. Two spare copies



HIGH COURT

HCJ & BVR.J

DATED; 23.03.2021

NOTE: LIST ON 16.04.2021

FCA.NO.224 OF 2017

DIRECTION

