

T. M. Narayanan

Vs

Nishad (Minor)

Petition for Special Leave to Appeal (Cri) No. 210 of 1987

(M. P. Thakkar, B. C. Ray JJ)

02.03.1987

ORDER

We are of the opinion that the view taken by the Kerala High Court that an order of maintenance under Section 125 CrPC can be revoked only prospectively having regard to the subsequent development in the form of order passed by the civil court is correct. Learned counsel for the petitioner has relied on the observations made by the learned Single Judge of the Allahabad High Court in Brij Pal Singh v. Sukhbiri Devi 1. With respect to the Allahabad High Court we do not think that the view expressed therein is correct. Under the circumstances, we confirm the view taken by the High Court of Kerala and dismiss the special leave petition.

Court Master.

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