



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 22ND DAY OF JUNE, 2026

BEFORE

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

REV.PET FAMILY COURT NO. 43 OF 2024

BETWEEN:

1. SMT. SUMA
W/O SRI UMENDRA,
AGED ABOUT 33 YEARS,
2. MASTER BHAVISH GOWDA
S/O SRI UMENDRA,
AGED ABOUT 8 YEARS,
SINCE MINOR, REP BY
HIS MOTHER
AND NATURAL GUARDIAN
SMT. SUMA

BOTH ARE R/AT
NO 561, KESERE 3RD STAGE,
R S NAIDU NAGARA,
MYSURU - 570 007.

Digitally signed by
AASEEFA
PARVEEN
Location: HIGH
COURT OF
KARNATAKA

...PETITIONERS

(BY SRI. NANJUNDA SWAMY N., ADVOCATE)

AND:

SRI UMENDRA
D/O SRI CHIKAHANUMEGOWDA,
AGED ABOUT 42 YEARS,
R/AT KAMANAKEREHUNDI VILLAGE,
KASABAHOBLI,



MYSURU TALUK,
MYSURU DISTRICT - 570019

...RESPONDENT

(BY SRI. AKARSH KUMAR GOWDA, ADVOCATE)

THIS RPFC FILED UNDER SECTION 19(4) OF FAMILY COURT ACT, AGAINST THE ORDER DATED 05.12.2023 PASSED IN CRL.MISC.NO.123/2021 ON THE FILE OF THE II ADDITIONAL PRINCIPAL JUDGE, FAMILY COURT AT MYSURU, PARTLY ALLOWING THE PETITION FILED UNDER SECTION 125 OF Cr.P.C FOR MAINTENANCE.

THIS PETITION, COMING ON FOR PART HEARD IN ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

ORAL ORDER

Sri.Nandjunda Swamy.N learned counsel for the petitioners was heard on 16.06.2026. Heard Sri.Akarsh Kumar Gowda learned counsel for the respondent today.

2. Challenge in this revision petition is the order that is rendered by the Court of II Additional Principal Judge, Family Court, Mysore in Crl.Misc.No.123/2021 dated 05.12.2023.

3. Petitioner No.1 being the wife and petitioner No.2 being the minor son filed a case against respondent



seeking Rs.25,000/- each per month towards maintenance. Family Court through the impugned order directed respondent to pay petitioner No.1/wife Rs.6,000/- per month and petitioner No.2/son Rs.4,000 per month towards maintenance. Aggrieved by the same and projecting that they are entitled to a higher sum, this revision petition is filed.

4. Learned counsel for the petitioners submitted that respondent married petitioner No.1 in the year 2014. They beget petitioner No.2. Respondent never looked after petitioner No.1 well. Respondent and his family members harassed petitioner No.1 in many ways. Therefore, petitioner No.1 started residing separately along with petitioner No.2. Respondent never took care to maintain the petitioners. Petitioner No.1 has no source of earnings. Therefore, petitioners filed a petition seeking the Family Court to direct respondent to pay them a sum of Rs.25,000 /- each per month. However, Family Court



directed respondent to pay petitioners very meager sum and aggrieved by the same, this revision petition is filed.

5. Learned counsel also submitted that respondent is an agriculturist and he earns Rs.1,20,000/- per month by selling farm grass, Rs.20,000/- per month as broker of buying and selling cattle, Rs.30,000/- per month through tractor which he gives on rental, Rs.30,000/- per month through two auto rickshaws he holds, Rs.60,000/- per month from the poultry farm which he maintains, Rs.10,000/- per month from milk vending business, Rs.6,00,000/- per annum from agriculture, Rs.7,00,000/- per annum from coconut plantation and mango plantation and Rs.50,000/- per annum from sheep farm. Learned counsel submitted that respondent can easily pay Rs.25,000/- each to the petitioners but he has refused to do so and the trial Court without taking into consideration the financial status of the respondent passed an order and therefore, allowing this revision petition the sum claimed by the petitioners towards maintenance may be granted.



6. Learned counsel for the respondent contended that no property stands in the name of respondent. Respondent earns around Rs.6,000/- per month though selling grass and Rs.72,000/- per annum by selling coconuts and mangoes. He has no other earnings. Further, petitioners have not produced any evidence to show that respondent holds such extent of property. Learned counsel also submitted that by considering all the evidence brought on record, trial Court rightly directed respondent to pay petitioner No.1 a sum of Rs.6,000/- per month and petitioner No.2 a sum of Rs.4,000/- per month. The Court also directed respondent to bear entire educational expenses of petitioner No.2. Respondent has no grievance in that regard. However, when petitioner No.1 is not entitled for any maintenance at all, the trial Court directed respondent to pay petitioner No.1 a sum of Rs.6,000/- per month. But obliging the order of the trial Court respondent is paying such amount and he is also paying Rs.4,000/- towards the maintenance of petitioner No.2 as well as he



is incurring all the required educational expenses. As the respondent do not have financial capacity to pay any sum more than that, this revision petition is not maintainable.

7. Family Court, at para 24 of the impugned order (as per the translated copy), made a clear mention that though as per the material produced, 9 acres and 9 guntas of land stands in the name of the father of the respondent, there is no material to show that said property is ancestral property and that respondent has a share in that property. Family Court also observed that though respondent himself admitted that there are two houses which stand in the name of his father, the petitioners have not produced any material to show that respondent gets a share in those houses. The trial Court also observed that the two goods auto rickshaws and tractor stands in the name of respondent's brother as per his statement in cross-examination and that there is no evidence to show that respondent earns anything through those vehicles. Considering all the facts and circumstances of the case,



trial Court directed respondent to pay petitioner No.1 a sum of Rs.6,000/- per month and petitioner No.2 a sum of Rs.4,000/- per month towards maintenance. Family Court also directed respondent to take care of the entire educational expenses of petitioner No.2. As petitioners failed to produce any proof with regard to financial capacity of respondent, this Court is of the view that there are no grounds to enhance the amount as sought for. Also this Court does not find any grounds to interfere with the reasons given for coming to a conclusion and the extent of liability imposed upon the respondent. Therefore, the ultimate conclusion of this Court is that the revision petition lacks merits.

Resultantly, the revision petition is dismissed.

**Sd/-
(DR.CHILLAKUR SUMALATHA)
JUDGE**

DS
CT:TSM
List No.: 1 Sl No.: 16