



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

REV.PET FAMILY COURT NO. 78 OF 2021

BETWEEN:

SRI SANTHOSH KUMAR
S/O DURGAPPA
AGED 35 YEARS,
ASSISTANT PROFESOR
CANARA ENGINEERING COLLEGE,
BENKANA PADVA
B.C.ROAD, MANGALURU

AND ALSO AT
S/O DURGAPPA ND KAMALAMMA
MUDDENAHALLI POST,
BALEKOPPA
SHIKARIPURA TALUK,
SHIVAMOGGA-577 427.

...PETITIONER

(BY SRI. SATEESH CHANDRA K V.,ADVOCATE)

AND:

SMT. LATHA S.,
W/O SANTHOSH KUMAR,
AGED 32 YEARS,
HOUSE WIFE,
R/O SUNDAR RAJ
MARUTHI BADAVANE NAVLE,
SHIVAMOGGA-577 201.

...RESPONDENT

(BY SRI. K.B. GOPAL, ADVOCATE (ABSENT))

Digitally signed
by AASEEFA
PARVEEN
Location: HIGH
COURT OF
KARNATAKA



THIS RPFC FILED UNDER SECTION 19(4) OF FAMILY COURT ACT, AGAINST THE JUDGMENT AND DECREE DATED 30.01.2021 PASSED IN CRL.MISC.NO.20/2017 ON THE FILE OF THE PRINCIPAL JUDGE, FAMILY COURT, SHIVAMOGGA, PARTLY ALLOWING THE PETITION FILED UNDER SECTION 125 OF Cr.PC FOR MAINTENANCE.

THIS PETITION, COMING ON FOR DICTATING ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

ORAL ORDER

This revision petition is the outcome of the order that is rendered by the Family Court, Shivamogga, in Crl.Misc.No.20/2017 dated 30.01.2021.

2. Heard Sri.Satheesh ChandraK.V learned counsel for the petitioner on 15.06.2026. Though sufficient time was granted to the respondent to make her submission on the merits of the matter, respondent could not avail the opportunities given.

3. As the relationship between the parties is not in dispute, petitioner will hereinafter be referred to as the husband and respondent as wife. Wife filed a petition under Section 125 Cr.P.C. claiming maintenance from her



husband. The version of the wife is that their marriage was solemnized in the year 2014. She completed post graduation from Kuvempu University and she joined as research scholar at Mangaluru University. Her husband used to pick up quarrel on trivial issues and used to beat her. Ultimately, she was thrown out of matrimonial home. Later husband filed a case for dissolution of the marriage. Her husband is in the habit of taking alcohol and he is also a womanizer. She has no income of her own. On the other hand her husband works as Assistant Professor at Canara Engineering College, Mangalore, gets Rs.50,000/- as salary, is having movable and immovable properties and thus, he can pay a sum of Rs.20,000/- per month towards her maintenance and Rs.10,000/- towards litigation expenses.

4. The version of the husband is that his wife used to quarrel with him for silly reasons and used to abuse his mother. Ultimately, she left the house without informing him. He filed a petition for restitution of conjugal rights.



His wife took all her golden ornaments, two wheeler, laptop, her clothes and cash of Rs.50,000/- and in that regard, he gave a complaint to police. His wife is an educated lady and she is a lecturer by profession. Earns more than Rs.20,000/- per month and therefore, she can maintain herself.

5. Family Court subjecting the evidence of PW1, RW1, Exs.P1 to P11 and Exs.R1 and R2 to scrutiny came to a conclusion that husband should pay a sum of Rs.15,000/- per month to his wife towards maintenance. Aggrieved by the findings thus given, husband filed this revision petition.

6. Learned counsel for the petitioner/husband submitted that respondent/wife never behaved properly with the petitioner. She used to quarrel and abuse the petitioner for silly reasons. She had voluntarily withdrawn from the society of the petitioner. Also, she, by break opening the doors of the petitioner's house, took away all



the valuable items and in that regard a complaint was also given to police. Learned counsel also submitted that a decree of divorce was passed and later petitioner husband married another lady and begot a child. Learned counsel also stated that though petitioner/husband did M.Tech and got Doctorate but he could not get proper employment. Thus, he has no source of earnings. On the other hand, as lecturer respondent/wife earns Rs.25,000/- per month and therefore, the liability imposed is improper.

7. Respondent/wife who got examined herself as PW1, admitted in her cross-examination that, after completion of M.Sc, she worked at DVS Degree College, Shivamogga for about four years and as a lecturer in Sweet PUC College. She admitted that she was getting Rs.8,500/- per month as salary. However, she denied the suggestion that she is working as lecturer even on the date of giving evidence. No material is produced by the petitioner/husband to establish the occupation and earnings of respondent/wife. On the other hand,



respondent/wife produced Ex.P10 letter and Ex.P11 pay slip to show that petitioner works as Assistant Professor at Canara Engineering College and earns Rs.41,429/- per month. Thus, it is clear that petitioner/husband earns around Rs.41,429/- per month. Respondent/wife failed to state as to why she could not continue her job as lecturer. Record discloses that respondent/wife has got good educational background and sufficient experience to work as a lecturer. Therefore, she cannot claim that she should be maintained by her husband as she has voluntarily left the job. At the same time, this Court is of the view that liability vests upon the petitioner/husband to give some financial support to respondent/wife for her sustenance.

8. Having considered the entire evidence that is brought on record and the status of parties, their educational qualification and their capacity and capability to earn, this Court is of the view that petitioner/husband can be directed to pay respondent/wife a sum of Rs.10,000/- per month towards her maintenance.



Therefore the impugned order requires modification.
Hence, the revision petition is disposed of with the following:

ORDER

- (i) The revision petition is allowed in part:
- (ii) The order that is rendered by the Family Court, Shivamogga, in CrI.Misc.No.20/2017 dated 30.01.2021, is modified.
- (iii) Petitioner/husband is directed to pay respondent/wife a sum of Rs.10,000/- per month towards her maintenance. Such amount shall be paid from the date of filing of CrIMisc.No.20/2017 till the disentanglement of respondent/wife.
- (iv) Petitioner/husband to clear all arrears within a period of 3 months.

The revision petition is accordingly disposed of.

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

DS
CT:TSM
List No.: 1 SI No.: 5