



CNR: KAHC010192502026

NC: 2026:KHC:39151
RPFC No. 72 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF JULY, 2026

BEFORE

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

REV.PET FAMILY COURT NO.72 OF 2026

BETWEEN:

SRI MOHAMMED HASSAN SHAWAN
AGED ABOUT 35 YEARS
S/O. MOHAMMED AFZAL
RESIDING AT NO.30, 2ND FLOOR
4TH CROSS DINNUR MAIN ROAD
KOUSAR NAGAR, R. T. NAGAR
BENGALURU-560 016

...PETITIONER

(BY SRI A. S. KULKARNI, ADVOCATE)

AND:

SMT. ROMANA PARVEEN
AGED ABOUT 31 YEARS
W/O. MOHAMMED HASSAN SHAWAN
RESIDING AT NO.27/1
4TH CROSS, SOMESHWARA NAGAR
JAYANAGAR 1ST BLOCK
BENGALURU SOUTH
BENGALURU-560 016

...RESPONDENT

(SMT. ROMANA PARVEEN-SERVED)

THIS RPFC IS FILED UNDER SEC.19(4) OF THE FAMILY
COURTS ACT., AGAINST THE ORDER DATED 11.03.2025
PASSED IN CRL. MISC NO.361/2020 ON THE FILE OF
PRINCIPAL JUDGE, FAMILY COURT, BENGALURU., PARTLY

Digitally signed
by AASEEFA
PARVEEN

Location: HIGH
COURT OF
KARNATAKA



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ALLOWING THE PETITION FILED UNDER SEC.125(1) (a) (b) OF CR.P.C., FOR MAINTENANCE.

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

CORAM: HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

ORAL ORDER

Heard Sri.A.S.Kulkarni learned counsel for the petitioner. Proof of service of notice is on record. However, respondent has not chosen to contest.

2. Challenge in this revision petition is the order that is rendered by the Court of Principal Judge, Family Court, Bengaluru in CrI.Misc.No.361/2020 dated 11.03.2025. Making his submission on the merits of the matter, learned counsel for the petitioner contends that petitioner is the husband of respondent. Their lawful wedlock resulted in birth of a child. Learned counsel submits that due to adamant attitude of the respondent, petitioner was constrained to pronounce Talaq and accordingly, their marriage was dissolved. Respondent



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filed a petition for grant of maintenance. Family court directed petitioner to pay respondent a sum of Rs.10,000/- per month and the child Mohammed Azhan a sum of Rs.5,000/- per month towards maintenance. Learned counsel states that petitioner did not participate effectively in the proceedings and he cross-examined PW1 only in part. He failed to lead evidence. Learned counsel states that in case, the case is remanded back to the Family Court, the petitioner will lead evidence. Learned counsel thereby seeks to allow the revision petition.

3. By all the evidence produced, respondent succeeded in establishing that the net income of the petitioner is Rs.33,640/-. Respondent also produced Ex.P22 birth certificate to establish that petitioner married again and begot a child through said marriage. The submission that is made by learned counsel for the petitioner is that petitioner is unable to maintain himself and therefore, he cannot maintain respondent and the child. If that contention is taken to be true, it is not known



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how petitioner has chosen to marry another woman and begot a son through said lady. But that factor is not relevant to decide this case on merits. No reasonable ground is accorded by petitioner as to why he could not participate in the proceedings effectively and could not cross-examine PW1 completely.

4. Family Court discussing each and every aspect of the case, held that petitioner is liable to maintain his wife and child. However, having considered the financial status of the petitioner, this Court is of the view that the amount awarded towards maintenance of the respondent/wife is excessive. So far as maintenance granted to the child is concerned, the amount fixed requires no interference. Hence, the revision petition is disposed of with the following:

ORDER

- (i) The revision petition is allowed in part.



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- (ii) Petitioner is directed to pay respondent/wife a sum of Rs.8,000/- per month towards her maintenance. Said amount is required to be paid from the date of filing of Crl.Misc.No.361/2020 till the lifetime of respondent or until further orders by the competent Court.
- (iii) Petitioner shall also pay the child Mohammed Azhan a sum of Rs.5,000/- per month as ordered by Family Court and such amount shall be paid from the date of birth of the child i.e., 27.12.2020 till he attains the age of majority or until further orders by the competent Court.

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

DS
CT:VC
List No.: 1 Sl No.: 28