



CNR: KAHC010204412024

NC: 2026:KHC:47298
RPFC No. 75 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 31ST DAY OF AUGUST, 2026

BEFORE

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

REV.PET FAMILY COURT NO.75 OF 2024

BETWEEN:

THIPPESHI NAIKA @ THIPPA NAIKA,
S/O SANNA SHANKARA NAIKA,
AGE 31 YEARS, FACTORY WORK,
R/O KEREYAGALAHALLI,
CHALLAKERE TALUK,
CHITRADURGA DISTRICT - 577 522.

...PETITIONER

(BY SRI/SMT. BHAVANA T.S., ADVOCATE FOR
SRI. R. SHASHIDHARA, ADVOCATE)

AND:

1. SHWETHA,
W/O THIPPESHI NAIKA @ THIPPA NAIKA
AGED ABOUT 25 YEARS,
HOUSEWIFE, R/O SEVALAL NAGARA,
3RD CROSS, NAVULE SAVALANGA ROAD,
SHIVAMOGGA CITY - 577201.
2. HARSHITHA,
D/O THIPPESHI NAIKA
@ THIPPA NAIKA,
AGE 6 YEARS,
3. RAHUL
S/O THIPPESHI NAIKA
@ THIPPA NAIKA, AGE 4 YEARS
RESPONDENTS NO.2 AND 3 ARE
MINORS REPRESENTED BY
NATURAL GUARDIAN RESPONDENT NO.1,

Digitally signed
by AASEEFA
PARVEEN
Location: HIGH
COURT OF
KARNATAKA



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ALL ARE R/O SEVALAL NAGARA,
3RD CROSS, NAVULE SAVALANGA ROAD,
SHIVAMOGGA CITY - 577 201.

...RESPONDENTS

THIS RPFC FILED UNDER SEC.19(4) OF THE FAMILY COURT ACT., AGAINST THE ORDER DATED 11.03.2024 PASSED IN CRI.MISC NO.64/2023 ON THE FILE OF PRL. JUDGE, FAMILY COURT, SHIVAMOGGA., ALLOWING THE PETITION FILED UNDER SEC.125 OF Cr.P.C., FOR MAINTENANCE.

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

CORAM: HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

ORAL ORDER

Heard Ms.Bhavana, who represents Sri.R.Shashidhara, learned counsel on record for the petitioner. Though notice was served upon the respondents, respondents failed to represent.

2. Challenge in this revision petition is the order that is rendered by the Family Court, Shivamogga in Crl.Misc.No.64/2023 dated 11.03.2024.

3. Respondent No.1/ wife, respondent No.2/minor daughter and respondent No.3/minor son filed a petition



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invoking Section 125 Cr.P.C. claiming maintenance from the revision petitioner. Family Court, Shivamogga disposed of the petition directing revision petitioner to pay respondent No.1/wife a sum of Rs.8,000/-, respondent No.2/minor daughter and respondent No.3/minor son a sum of Rs.2,000/- each per month towards their maintenance. Aggrieved by the liability thus imposed, the revision petitioner is before this Court.

4. Learned counsel for the petitioner states that petitioner works in a factory and he earns less than Rs.20,000/- per month. Thus, he cannot pay such huge amount as ordered by the Family Court. Learned counsel submits that due to inadvertence, revision petitioner could not cross-examine PW.1 and lead his evidence and given a fair opportunity, he will cross-examine PW.1 and produce all his evidence. Learned counsel thereby seeks to allow the revision petition.



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5. It is not the version of revision petitioner that he was denied an opportunity to cross-examine PW.1. No convincing grounds are projected before this Court to show that revision petitioner could not cross-examine PW.1 due to justifiable reasons and that he could not adduce his evidence. In the impugned order there is a mention that revision petitioner filed an affidavit stating that his wife i.e. respondent No.1 deliberately failed to disclose her assets and liabilities and she violated the guidelines of Supreme Court. However, surprisingly revision petitioner has not filed his affidavit disclosing his assets and liabilities. Thus, it is clear that revision petitioner neither filed his affidavit disclosing his assets and liabilities nor cross-examined PW.1 nor adduce any evidence. Thus, taking into consideration the available evidence, Family Court passed a reasoned order.

6. Revision petitioner through the impugned order is directed to pay his minor children a sum of Rs.2,000/-



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each per month towards their maintenance. A sum of Rs.2,000/- per month will no way be sufficient for a child to maintain himself/herself. With Rs.2,000/-, per month a mother cannot educate her child, provide good food and attend all other necessities like transportation, medical care etc.,. Thus, even on merits, there are no grounds to set aside the impugned order. Hence, this Court is of the view that the revision petition is liable to be dismissed.

Resultantly, the revision petition is dismissed.

Sd/-
(DR.CHILLAKUR SUMALATHA)
JUDGE

AP
CT:TSM
List No.: 1 Sl No.: 39