



IN THE HIGH COURT OF KARNATAKA

AT BENGALURU

DATED THIS THE 25TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

REV.PET FAMILY COURT NO.115 OF 2025

BETWEEN:

SMT.UMMEHANI @ UMM-E-HANI
W/O SYED ZABI IRFAN,
D/O ABDUL REHEEM,
AGED ABOUT 22 YEARS,
OCC: HOUSEWIFE,
R/O YUSUF MANZIL, PENSION MOHALLA,
SHIVAMOGGA TALUK AND DISTRICT-577205.

...PETITIONER

(BY SRI YASHAVANTHSWAMY A. M., ADVOCATE)

AND:

SRI SYED ZABI IRFAN
S/O S.M. MUJASSIM SAHB,
AGED ABOUT 33 YEARS,
OCC. GOVERNMENT OFFICIAL,
R/O TAJPEER LAYOUT,
CHITRADURGA-577501

...RESPONDENT

(BY SMT. K. VIJAYALAKSHMI, ADVOCATE
FOR SRI M.G.RAGHAVENDRA, ADVOCATE)

THIS RPFC IS FILED UNDER SEC.19(4) OF THE FAMILY
COURTS ACT PRAYING TO MODIFY THE ORDER PASSED BY THE
FAMILY COURT IN CRL.MISC.NO.183/2022 DATED 20.11.2024



ON THE FILE OF THE PRINCIPAL JUDGE, FAMILY COURT, SHIVAMOGGA, BY ALLOWING THE REVISION PETITION.

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

CORAM: HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

ORAL ORDER

Dissatisfied with the sum that is awarded as maintenance through orders in CrI.Misc.No.183/2022 dated 20.11.2024 by the Family Court, Shivamogga, the petitioner therein filed this revision petition.

2. The petitioner who is the wife of the respondent filed a petition invoking Section 125 of Criminal Procedure Code claiming maintenance of Rs.25,000/- per month and litigation expenses of Rs.5,000/-. Family Court through the impugned order directed respondent to pay the revision petitioner a sum of Rs.5,000/- per month towards maintenance. The version of the revision petitioner is that she is entitled to a higher sum.

3. Heard Sri Yashavanthswamy A.M., learned counsel for the petitioner. Though sufficient time was



granted to respondent to make his submission on the merits of the matter, respondent did not choose to argue.

4. The primary argument of learned counsel for revision petitioner is that respondent is serving at BEO Office, Chitradurga and is earning Rs.40,000/- per month. He owns a house also. On the other hand revision petitioner has no source of earnings. She required atleast a sum of Rs.25,000/- per month for her shelter, food, clothing and medical expenses. Family Court without considering the requirements of the petitioner awarded a meager sum of Rs.5,000/- towards maintenance. The said sum is not sufficient for the petitioner to maintain herself and therefore this revision petition is filed. Learned counsel thereby seeks to award the sum that is claimed by the petitioner towards maintenance.

5. The relationship between the parties is not in dispute. By the material brought on record it is established that the mother of the respondent was working as Assistant Teacher and she died due to ill-



health. Therefore respondent got job on compassionate grounds and he is working as Attender at BEO Office, Chitradurga. Though it is contended that respondent owns a house, no proof to that effect was produced before the Family Court by the petitioner. Family Court placing reliance upon Ex.R1 pay slip and holding that net salary which respondent/husband receives is only Rs.20,630/- per month, directed him to pay his wife i.e., revision petitioner herein a sum of Rs.5,000/- per month towards maintenance. Each party blamed other for the marriage to break down. No evidence whatsoever was produced by the respondent to show that petitioner has got her own source of earning and she can maintain herself lifetime. Petitioner failed to establish that respondent/husband is earning Rs.40,000/- per month and that he got other immovable property as contended by her.

6. Taking into consideration totality of facts and circumstances and the financial status of respondent, Family Court directed the respondent to pay petitioner a



sum of Rs.5,000/- per month towards maintenance. This Court does not find any infirmity in the findings given or the conclusion arrived at by the Family Court that the amount which respondent is liable to pay the petitioner towards maintenance is Rs.5,000/- per month. Therefore, this Court is of the view that the revision petition lacks merits. Resultantly following:

ORDER

Revision petition is dismissed.

Sd/-
(DR.CHILLAKUR SUMALATHA)
JUDGE

SRT
List No.: 19 SI No.: 2
CT:SI