



CNR: KAHC010338152024

NC: 2026:KHC:38810
RPFC No. 131 of 2024
C/W RPFC No. 113 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF JULY, 2026

BEFORE

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

REV.PET FAMILY COURT NO. 131 OF 2024

C/W

REV.PET FAMILY COURT NO. 113 OF 2024

IN RPFC No. 131/2024

BETWEEN:

1. SRI B SHARATH KUMAR
S/O BASAVARAJAPPA,
AGED ABOUT 35 YEARS,
R/AT SARASWATHI EXTENTION,
A BLOCK, 2ND CROSS,
OPPOSITE OF ANJANEYA PARK,
DAVANGERE - 577005

OCCUPATION ADDRESS:
EXECUTIVE ENGINEER,
K P T C L OFFICE, 66/11,
K V ATHIGERE, DAVANGERE - 577514

...PETITIONER

(BY SRI. G.J.SUNKAPUR, ADVOCATE)

AND:

1. SMT N. SUSHMA @ BINDUSHREE
W/O B SHARATH KUMAR

Digitally signed
by AASEEFA
PARVEEN

Location: HIGH
COURT OF
KARNATAKA



CNR: KAHC010338152024

NC: 2026:KHC:38810
RPFC No. 131 of 2024
C/W RPFC No. 113 of 2024

AGED ABOUT 29 YEARS
R/O NO.1846/175, 2ND MAIN,
3RD CROSS,
VINAYAKA EXTENSION,
VIDYANAGARA, DAVANGERE - 577 005.

...RESPONDENT

(BY SRI. SIDDAPPA B M.,ADVOCATE)

THIS RPFC IS FILED UNDER SEC.19(4) OF FAMILY COURTS ACT, AGAINST THE ORDER DATED 1.04.2024 PASSED IN CRL. MISC NO.159/2021 ON THE FILE OF JUDGE, FAMILY COURT, DAVANAGERE., PARTLY ALLOWING THE PETITION FILED UNDER SEC.125 OF Cr.P.C., FOR MAINTENANCE.

IN RPFC NO. 113/2024

BETWEEN:

1. SMT N SUSHMA
@ BINDUSHREE
W/O B. SHARATH KUMAR
AGED ABOUT 29 YEARS
RESIDING AT NO.1846/175
2ND MAIN, 3RD CROSS
VINAYAKA EXTENSION
VIDYANAGARA
DAVANAGERE - 577 005

...PETITIONER

(BY SRI. SIDDAPPA B M.,ADVOCATE)

AND:

1. SRI B SHARATH KUMAR
S/O BASAVARAJAPPA
AGED ABOUT 34 YEARS
R/O NO.1430/48, BENAKA NILAYA
SARASWATI EXTENSION, A BLOCK
2ND CROSS, OPPOSITE OF ANJANEYA PARK
DAVANAGERE - 577 005.



CNR: KAHC010338152024

NC: 2026:KHC:38810
RPFC No. 131 of 2024
C/W RPFC No. 113 of 2024

OCCUPATION ADDRESS
EXECUTIVE ENGINEER
KPTCL O AND M, OFFICE 66/11
K V ATHIGERE
DAVANAGERE TALUK
AND DISTRICT - 577 005.

...RESPONDENT

(BY SRI. G.J.SUNKAPUR.,ADVOCATE)

THIS RPFC IS FILED UNDER SEC.19(4) OF THE FAMILY COURTS ACT, AGAINST THE ORDER DATED 1.04.2024 PASSED IN CRL.MISC NO.159/2021 ON THE FILE OF JUDGE, FAMILY COURT, DAVANAGERE, PARTLY ALLOWING THE PETITION FILED UNDER SEC.125 OF Cr.P.C., FOR MAINTENANCE.

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

CORAM: **HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA**

ORAL COMMON ORDER

Heard Sri G.J. Sunkapur, learned counsel who physically appears before this Court representing the petitioner in RPFC No.131/2024, and also the respondent in connected matter.

2. Also heard Sri Siddappa B.M., learned counsel who appears virtually and represents the respondent in



CNR: KAHC010338152024

NC: 2026:KHC:38810
RPFC No. 131 of 2024
C/W RPFC No. 113 of 2024

RPFC No.131/2024 and the petitioner in the connected matter.

3. These revision petitions arise out of the order that is rendered by the Family Court, Davanagere in Crl.Misc.159/2021 dated 01.04.2024.

4. As the relationship between the parties is not in dispute, they will hereinafter be referred to as wife and husband.

5. Wife filed RPFC No.113/2024 contending that the amount ordered towards maintenance is grossly low. Husband filed RPFC NO.131/2024 projecting that he is not liable to pay any amount towards maintenance of his wife.

6. The case of the wife is that their marriage was solemnized in the year 2020 and after the marriage she joined her husband to lead matrimonial life. However, her husband and his family members picked up quarrel unnecessarily with her, abused her and assaulted her, due to which, she started to live at her parents house. It is



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NC: 2026:KHC:38810
RPFC No. 131 of 2024
C/W RPFC No. 113 of 2024

also her version that her husband works as Assistant Executive Engineer in KPTCL. Her mother-in-law owns landed property and gets rent. On the other hand she has no source of income and thus, she is required to be maintained by her husband.

7. The case of the husband is that, his wife expressed her disappointment after her arrival to the matrimonial home, left the matrimonial home and failed to correct her behavior and attitude. His version is also that he filed a petition seeking restitution of conjugal rights and said case is pending. Wife is a post graduate, works as lecturer and thus, she is capable of maintaining herself.

8. For the reasons, best known, husband failed to file his statement of assets and liabilities before the Family Court. However, by the material that is brought on record, it is clear that husband works as Assistant Executive Engineer in KPTCL and his gross monthly salary as per Ex.P9 is Rs.87,610/-.



CNR: KAHC010338152024

NC: 2026:KHC:38810
RPFC No. 131 of 2024
C/W RPFC No. 113 of 2024

9. Learned counsel who represents the husband contends that husband is required to maintain even his parents and his parents filed a case seeking maintenance and the Competent Authority directed the husband to pay his parents a sum of Rs.9,000/- per month towards their maintenance and thus, he cannot pay such huge sum towards maintenance of his wife as ordered by the Family Court.

10. Learned counsel who represents the wife states that husband has got a good job and thus he can maintain his wife as well. Learned counsel also contended that wife has no source of income and therefore liability vests upon the husband to maintain his wife.

11. Contradicting his submission, learned counsel who represents the husband states that wife works as lecturer and husband produced sufficient material to establish the occupation and income of the wife.



CNR: KAHC010338152024

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RPFC No. 131 of 2024
C/W RPFC No. 113 of 2024

11. Much reliance is placed upon Ex.R.3. Family Court failed to consider Ex.R3 on the ground that as per Ex.R3, wife works as guest lecturer and got honorarium of Rs.17,000/- for the month of November 2023. Husband has not produced any material to show that wife continues to work as lecturer and earns. As rightly observed by the Family Court, a guest lecturer will be given an opportunity by the institute only when the regular/temporary lecturers fail to attend the college. Therefore, much reliance cannot be placed upon Ex.R3 to hold that wife is not entitled for any maintenance. No other evidence was produced by the husband before the Family Court to establish the continuous occupation of the wife as lecturer and her earnings.

12. Though learned counsel who represents wife states that amount ordered towards maintenance is too meager, yet having considered the fact that husband is under an obligation to maintain his parents too, this Court is of the view that the amount granted towards



CNR: KAHC010338152024

NC: 2026:KHC:38810
RPFC No. 131 of 2024
C/W RPFC No. 113 of 2024

maintenance cannot be enhanced. Also this Court does not find any justifiable grounds to set aside the impugned order as sought for by the husband.

13. Therefore, this Court is of the view that both revision petitions lack merits. Resultantly following:

ORDER

Both revision petitions are dismissed.

Sd/-
(DR.CHILLAKUR SUMALATHA)
JUDGE

HR
List No.: 1 Sl No.: 39