



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

REV.PET FAMILY COURT NO. 159 OF 2022

BETWEEN:

MR JAGANNATH ALVA K.,
AGED ABOUT 55 YEARS,
S/O MAHABALA ALVA,
4TH A CROSS, OPP. KARNATAKA BANK,
KASTURINAGARA,
BENGALURU- 560043.

PRESENTLY R/AT NO 1 166,
KOLLADY HOUSE, SALETHUR POST,
BANTWAL TALUK
DAKSHINA KANNADA
KARNATAKA - 574211.

...PETITIONER

Digitally signed by
AASEEFA
PARVEEN
Location: HIGH
COURT OF
KARNATAKA

(BY SRI. MALATESH, ADVOCATE FOR
SRI. VENKATESH SOMAREDDI, ADVOCATE)

AND:

1. MRS. SMITHA
AGED ABOUT 44 YEARS
W/O MR JAGANNATH ALVA K
R/AT C/O MALATHI R SHETTY
VIJAYANAGAR, PADIL POST
MANGALORE,
DAKSHINA KANNADA,
KARNATAKA - 574142.



2. MASTER RAVI NARAYANA
AGED ABOUT 15 YEARS
S/O MR JAGANNATH ALVA K.,
R/A C/OMALATHI R SHETTY
VIJAYANAGAR, PADIL POST
MANGALORE DAKSHINA KANNADA,
KARNATAKA - 574142.
REPRESENTED BY RESPONDENT NO.1
3. KUMARI ADITHI ALVA
AGED ABOUT 13 YEARS
D/O MR JAGANNATH ALVA K
R/A C/O MALATHI R SHETTY
VIJAYANAGAR, PADIL POST
MANGALORE DAKSHINA KANNADA,
KARNATAKA - 574142.
REPRESENTED BY RESPONDENT NO.1

...RESPONDENTS

(BY SRI. K.R. NAGARAJ, ADVOCATE FOR
SRI. G.S. SUDHAKAR REDDY, ADVOCATE)

THIS RPFC FILED U/S.19(4) OF THE FAMILY COURTS ACT., AGAINST THE JUDGMENT AND DECREE DATED 27.04.2022 PASSED IN CrI.MISC.NO.36/2019 ON THE FILE OF THE PRL. JUDGE, FAMILY COURT, D K MANGALURU. DISMISSING THE PETITION FILED U/S.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 Sri.Malatesh, who represents Sri.Venkatesh Somareddi, learned counsel for the petitioner as well as Sri.K.R.Nagraj, who represents Sri.Sudhakar Reddy G.S., learned counsel on record for the respondents.

2. Challenge in this revision petition is the order that is rendered by the Court of Principal Judge, Family Court, D.K. Mangaluru, in Crl.Misc.Case No.36/2019 dated 27.04.2022.

3. First respondent herein being the wife, respondents No.2 and 3 being the children of the revision petitioner filed a case against the revision petitioner under Section 125 CrPC seeking maintenance of ₹15,000/- for the sustenance of respondent No.1 and ₹7,500/- each per month for the sustenance of respondents No.2 and 3. Family Court dismissed the claim of respondent No.1. Family Court directed the revision petitioner to pay respondents No.2 and 3 a sum of ₹6,000/- each per month from the date of petition till the completion of education of respondent No.2 and till the marriage of respondent No.3. Petitioner was also directed to take care of the educational expenses of respondents No.2 and



3. Further, a direction was issued to the petitioner to bear the entire medical expenses of respondent No.2 for getting his heart ailment treated.

4. Learned counsel for the petitioner states that respondent No.1 filed M.C.No.358/2018 seeking decree of divorce. The Court of Principal Judge, Family Court, D.K. Mangaluru, allowed the petition filed by respondent No.1 and thereby the marriage was dissolved through a decree of divorce. The Court directed revision petitioner to pay respondent No.1 a sum of ₹20,00,000/- towards permanent alimony. Further, Court directed revision petitioner to pay ₹6,000/- each per month for the maintenance of respondents No.2 and 3. A direction was also issued to bear actual educational expenses of both the children and the actual medical expenses of respondent No.2. Again through the impugned order, a direction was issued to the petitioner to pay respondents No.2 and 3 a sum of ₹6,000/- each per month for their maintenance. Thus, petitioner literally has to oblige both the orders i.e. the order in M.C.No.358/2018 as well as the order in Crl.Misc.Case No.36/2019 and thereby he has to pay



₹12,000/- each totalling ₹24,000/-. Learned counsel submits that the financial status of the petitioner does not permit to pay such huge amount and therefore, this revision petition is filed.

5. Learned counsel who represents the respondents submits that it is sufficient if petitioner pays a sum of ₹6,000/- each to respondents No.2 and 3 for their maintenance. Family Court at para 18 of the impugned order made an observation with regard to the permanent alimony awarded in favour of respondent No.1 through orders in M.C.No.358/2018. Thereby, Family Court dismissed the claim of respondent No.1 for maintenance. However, Family Court did not discuss anything about the maintenance awarded in M.C.No.358/2018 in favour of children. The submission of learned counsel for respondents as earlier indicated is that it is sufficient if ₹6,000/- in total is paid to each of respondents No.2 and 3 towards their maintenance. Therefore, this Court considers desirable to dispose of the revision petition duly holding that the petitioner shall pay respondents No.2 and 3 each a sum of ₹6,000/- only per month towards their maintenance and that the said amount is required to be paid till respondent No.2 attains the age of



majority, however, giving liberty to respondent No.2, to file necessary application for grant of maintenance in case he suffers with any physical abnormality due to the heart ailment which he suffers with and which fact is established through the evidence produced. Petitioner shall pay the maintenance awarded in favour of respondent No.3 till the date of her marriage or till she becomes financially independent, whichever is earlier. Thus, the revision petition is disposed of with the following:

ORDER

- (i) The revision petition is allowed-in-part.
- (ii) Petitioner shall pay respondent No.2 a sum of ₹6,000/- per month in total which includes the amount awarded towards maintenance in M.C.No.358/2018 that stood pending before the Court of Principal Judge, Family Court, D.K. Mangaluru, dated 25.03.2022 from the date of filing of M.C.No.358/2018 till respondent No.2 attains the age of majority.



- (iii) Liberty is granted to respondent No.2 i.e. Master Ravi Narayana, to invoke Section 125(c) CrPC and file necessary application where by reason of any physical abnormality he is unable to maintain himself even on attaining the age of majority.
- (iv) Petitioner shall pay respondent No.3 a sum of ₹6,000/- per month towards maintenance inclusive of the amount that is awarded towards maintenance through orders in M.C.No.358/2018 that stood pending before the Court of Principal Judge, Family Court, D.K., Mangaluru, and was disposed of through order dated 25.03.2022 and such amount shall be paid from the date of filing of M.C.No.358/2018 till the marriage of respondent No.3 or till she becomes financially independent, whichever is earlier.
- (v) Petitioner shall pay respondent No.1 all the expenses which are required to be borne for imparting education to respondents No.2 and 3 till they complete their education.



- (vi) Petitioner shall also bear the entire medical expenses of respondent No.2 Master Ravi Narayana which are required to be spent for his heart ailment.
- (vii) The amount which was directed to be paid towards litigation expenses through the impugned order should also be paid.
- (viii) The revision petition is accordingly disposed of.

Sd/-
(DR.CHILLAKUR SUMALATHA)
JUDGE

AP
CT:TSM
List No.: 1 Sl No.: 17