

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE DR. JUSTICE K.MANMADHA RAO

REV.PET FAMILY COURT NO.191 OF 2022

BETWEEN:

T.H MANJUNATHA
SON OF HANUMANTHAPPA
AGED ABOUT 29 YEARS,
OCC: AGRICULTURE
RESIDENT OF HALIVANA VILLAGE,
HARIHARA TALUK
DAVANAGERE DISTRICT- 577 601.

...PETITIONER

(BY SRI. HIEMATHAD MAHESHAIAH RUDRAYYA.,ADVOCATE)

AND:

SMT. B.H USHA
WIFE OF T.H. MANJUNATHA
AGED ABOUT 26 YEARS,
HOUSEHOLD,
RESIDENT OF HALIVANA VILLAGE
HARIHARA TALUK
DAVANAGERE DISTRICT - 577 601.

...RESPONDENT

(BY SRI. S.G RAJENDRA REDDY.,ADVOCATE)

THIS RPFC IS FILED U/S.19(4) OF THE FAMILY COURTS ACT.,
AGAINST THE JUDGMENT AND DECREE DATED 01.08.2022
PASSED IN CrI.MISC.NO.362/2019 ON THE FILE OF THE JUDGE,
FAMILY COURT, DAVANAGERE, PARTLY ALLOWING THE PETITION
FILED U/S.125 OF Cr.P.C FOR MAINTENANCE.

THIS REVISION PETITION FAMILY COURT HAVING BEEN
HEARD AND RESERVED FOR ORDERS ON 24.03.2026 AND COMING
ON FOR PRONOUNCEMENT THIS DAY, THE COURT MADE THE
FOLLOWING:

Digitally signed by
VIJAYALAKSHMI
B N
Location: HIGH
COURT OF
KARNATAKA



CORAM: HON'BLE DR. JUSTICE K.MANMADHA RAO

CAV ORDER

This Revision Petition is filed under Section 19(4) of the Family Courts Act, 1984, challenging the order dated 01-08-2022 passed by the Judge, Family Court, Davanagere, in CrI.Misc.No.362/2019. By the impugned order, the Family Court partly allowed the petition filed by the respondent-wife under Section 125 of the Cr.P.C., directing the petitioner to pay a monthly maintenance of Rs.2,000/-.

2. The Petitioner is the husband herein, who was the Respondent in the Family court. The Respondents herein is the wife, who was petitioner before the Family Court.

3. For convenience of reference, the parties herein are referred to as per their ranking before this court.

4. The marriage between the petitioner and the respondent was solemnized on 12-03-2018 at Shri Manjunatheshwara Temple, Dharmasthala, according to

Hindu rites and customs. Following a brief period of cohabitation, the respondent-wife alleged she was subjected to physical and mental harassment by the petitioner and his family members regarding domestic issues and dowry demands. She specifically detailed an instance on 23-05-2019 where she was allegedly assaulted, for which she produced a wound certificate marked as Ex.P.6.

5. The petitioner-husband resisted the claim before the trial court, denying all allegations of cruelty and asserting that the respondent had left the matrimonial home voluntarily without justifiable cause. He further questioned the respondent's character, alleging an illicit relationship, and pleaded financial incapacity, stating he is an agriculturist working on joint family lands with no independent source of income.

6. Upon a meticulous appreciation of the evidence, the Family Court, presided over by Sri B. Dasaratha, concluded that the petitioner had neglected to maintain his wife. The court noted that the petitioner is an able-bodied

man with a legal obligation to support his spouse. Taking note of the agricultural land measuring 6 acres 39 guntas in Halivana village in the family's name, the court awarded maintenance of Rs.2,000/- per month.

7. The learned counsel for the petitioner has primarily challenged the order on the grounds of overlapping maintenance awards. It is urged that the trial court failed to appreciate that the petitioner is already paying interim maintenance of Rs.1,000/- each in a Domestic Violence Act proceeding and a matrimonial suit under Section 24 of the Hindu Marriage Act.

8. In addressing the issue of overlapping maintenance, this Court is guided by the mandatory principles established by the Hon'ble Supreme Court in *Rajnesh v. Neha*, (2021) 2 SCC 324. The Apex Court held that while there is no legal bar to a spouse seeking maintenance under different statutes, the court must take into account any previous maintenance awards to prevent inequitable double recovery.

9. The record reveals that the Family Court was fully cognizant of the existing orders. The learned Judge explicitly discussed the interim awards of Rs.1,000/- in the D.V. Act and H.M. Act proceedings and determined that an additional Rs.2,000/- was warranted to meet the "ends of justice." This balanced approach satisfies the requirement for adjustment as stipulated in the *Rajnesh v. Neha* precedent.

10. A total cumulative maintenance of Rs.4,000/- per month for the respondent is by no means excessive or punitive in the current economic scenario. The petitioner's status as an able-bodied individual with access to ancestral agricultural lands affirms his capacity to provide this basic sustenance. The allegations regarding the respondent's conduct remained unsubstantiated during the trial and cannot be used to deny her right to maintenance.

11. This Court finds no illegality, perversity, or jurisdictional error in the order passed by the Family Court, Davanagere. The scope of revision is limited, and the petitioner has failed to demonstrate any grounds for

interference with the well-reasoned concurrent findings of fact.

ORDER

(i). The Revision Petition (FC) No. 191/2022 is ***Dismissed.***

(ii). The order passed by the Judge, Family Court, Davanagere, in Crl.Misc.No.362/2019 dated 01-08-2022 is ***upheld.***

(iii). The petitioner is directed to clear all arrears of maintenance within two months from today and ensure regular monthly payments to the respondent.

**SD/-
(DR.K.MANMADHA RAO)
JUDGE**

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