



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 18TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

REV.PET FAMILY COURT NO. 16 OF 2020

BETWEEN:

MR. THAMIMUL ANSARI

S/O P.S.K. M. OLI MOHAMMED

AGE 47 YEARS,

RESIDING AT NO.764/1, 3RD CROSS,

3RD MAIN, PRAKASHNAGAR

BENGALURU - 560 021.

...PETITIONER

(BY SRI. S.B. HALLUR, ADVOCATE)

Digitally signed by
AASEEFA
PARVATHAN

Location: HIGH
COURT OF
KARNATAKA

AND:

1. SMT. AMEERA TAJ

D/O ALTE AFZAL SHARIFF

AGE 33 YEARS,



2. KUM. RHAMANIYA

D/O MR. THAMINUL ANSARI

AGED ABOUT 13 YEARS,

MINOR REP. BY HER MOTHER

RESPONDENT NO.1 HEREIN,

BOTH RESIDING AT NO.764/1,

3RD CROSS, 3RD MAIN

PRAKASHNAGAR

BENGALURU - 560 021.

ALSO AT

NO.M/120/A, 5TH CROSS

L.N. PURA, SRIRAMPURA POST

BENGALURU - 560 021.

...RESPONDENTS

(BY SMT. RAKSHITHA B.M, ADVOCATE)

THIS RPFC IS FILED UNDER SEC.19(4) OF THE FAMILY COURTS ACT., AGA INST THE ORDER DATED 26.04.2019 PASSED IN CRL.MIS.NO. 623/2014 ON THE FILE OF THE C/C IV ADDITIONAL PRINCIPAL JUDGE, FAMILY COURT, BENGALURU, PARTLY 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

This revision petition is the out come of the order that is rendered by the Court of IV Additional Principal Judge, Family Court, Bengaluru in Criminal Miscellaneous Case No.623/2014 dated 26.04.2019.

2. The first respondent being the wife and second respondent being the minor daughter of the revision petitioner filed a petition under Section 125 of Cr.P.C. seeking maintenance of Rs.15,000/- per month. Family Court through the impugned order directed revision petitioner to pay first respondent/wife a sum of Rs.10,000/- per month and respondent No.2/child a sum of Rs.5,000/- per month towards maintenance. Aggrieved by the obligation imposed this revision petition came to be filed.



3. Heard Sri.S.B.Hallur, learned counsel for the revision petitioner as well as Ms. Rakshitha B.M, learned counsel for the respondents.

4. The version of the respondents is that the marriage between the revision petitioner and first respondent took place in the year 2012. She gave birth to second respondent. Revision petitioner totally neglected to maintain them. First respondent started living at the house of her in-laws but they are not capable of providing basic necessities to them. Revision petitioner has got his own unit of tailoring and he supplies uniform and readymade garments on wholesale basis to schools, factories, market etc. and thereby he earns more than Rs.50,000/- per month.

5. The stand taken by the revision petitioner is that through the first marriage he got a son and daughter. His first wife works as a teacher in government school. One of his kidneys totally failed and required kidney transplantation. Due to force from his mother, he married the first respondent who was a widow by then. He is required to spend lot of amount for his treatment.



6. Family Court subjecting the evidence of PW1, RW1 Exhibits P1 to P15 and Exhibits R1 to R4 to scrutiny came to a conclusion that revision petitioner is liable to pay respondent No.1 a sum of Rs.10,000/- per month towards her maintenance and Rs.5,000/- per month towards the maintenance of second respondent. Respondents gave details about the occupation of the revision petitioner. They contended that he runs a factory in the name and style AFI Uniform. They also provided the GST number of the said business establishment. No material whatsoever was produced by the revision petitioner before the Family Court which reveals that the said establishment does not belong to him and that GST number shown is incorrect. In which year he underwent the surgery by which one of his kidneys was transplanted is not mentioned in clear terms anywhere.

7. During the course of arguments learned counsel for respondents stated that the kidney transplantation was done in the year 2010. Revision petitioner produced certain documents before this Court to establish his health condition. The discharge summary issued by Sri Ramachandra Medical Center



dated 07.03.2026 goes to show that the renal transplantation was done in the year 2010.

8. It is not in dispute that the marriage between the revision petitioner and first respondent was performed in the year 2012. Thus it is clear that after such renal transplantation, revision petitioner married the first respondent and begot the child i.e. the second respondent herein. Therefore he cannot take the defence that due to kidney transplantation he is unable to work and therefore he cannot maintain the respondents.

9. Further no convincing material was produced by the revision petitioner to show that his health condition thereafter deteriorated. The impugned order was rendered in the month of April 2019. Learned counsel for the revision petitioner submitted that now the revision petitioner is on dialysis. If such is the position, nothing prevents the revision petitioner to move necessary application before the Family Court for modification of the impugned order due to change of circumstances. This Court is required to see exercising revisional jurisdiction, whether the impugned order is sustainable in the eye of law or



not. No material was produced by the appellant to show that he was not keeping good health and therefore he could not earn and maintain the respondents. Therefore, this Court is of the view that there are no grounds to interfere with the findings given through the impugned order.

10. Hence the revision petition is disposed of with the following:-

ORDER

The revision petition is dismissed.

Sd/-
(DR.CHILLAKUR SUMALATHA)
JUDGE

VS
List No.: 1 Sl No.: 7