



CNR: KAHC010484042025

NC: 2026:KHC:38723  
RPFC No. 205 of 2025

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 27<sup>TH</sup> DAY OF JULY, 2026**

**BEFORE**

**THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA**

**REV.PET FAMILY COURT NO.205 OF 2025**

**BETWEEN:**

MRS. SWATHI J. PAI @ U. GEETHA BHAT  
AGED ABOUT 62 YEARS  
D/O. U. R. BHAT  
RESIDING AT DOOR NO.6-9-219/1  
FLAT NO.1, SHUBHALAXMI APARTMENTS  
MANNAGUDDA  
MANGALURU-575 003

...PETITIONER

(BY SMT. AKSHATHA SHETTY K., ADVOCATE)

**AND:**

MR. K. JAYAVANTH PAI  
AGED ABOUT 68 YEARS  
S/O. LATE VAMANA PAI  
RESIDING AT SUPRABHATH  
1<sup>ST</sup> FLOOR, OPP. SUKHAVISHRANTHI SALMARA  
KARKALA KASBA VILLAGE  
UDUPI DISTRICT

...RESPONDENT

(RESPONDENT-SERVED)

THIS RPFC IS FILED UNDER SEC.19(4) OF FAMILY COURTS ACT., AGAINST THE ORDER DATED 23.06.2025 PASSED IN CRL. MISC. NO.66/2024 ON THE FILE OF THE PRINCIPAL FAMILY JUDGE, MANGALURU., IN AS PER THE SAID ORDER VIDE ANNEXURE-A.

Digitally signed  
by AASEEFA  
PARVATHEN  
Location: HIGH  
COURT OF  
KARNATAKA



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

CORAM: HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

**ORAL ORDER**

Heard Ms.Akshatha Shetty.K learned counsel for the petitioner. Though notice was served upon the respondent, respondent has not chosen to contest the matter.

2. This revision petition is the outcome of the order that is passed by the Court of Principal Judge, Family Court, Mangalore in Crl.Misc.No.66/2024 dated 23.06.2025.

3. Arguing the matter, learned counsel for the petitioner contends that petitioner is the legally wedded wife of respondent. Their lawful wedlock resulted in birth of a female child. Learned counsel submits that the relationship between the parties became strained and therefore, petitioner and her daughter started residing separately. Petitioner filed a petition seeking a decree of divorce. Said petition was allowed. Respondent was



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directed to pay permanent alimony of Rs.10,000/- and Rs.8,000/- per month towards her maintenance. Aggrieved by the order passed, respondent preferred appeal and that appeal was allowed in part. Respondent was directed to pay a sum of Rs.8,000/- per month towards the maintenance of the daughter. Respondent failed to pay the amount ordered. Petitioner filed Crl.Misc.No.66/2024 before the Principal Family Court, Mangaluru seeking maintenance. Petitioner also filed I.A.No.II seeking interim maintenance. Family Court kept the proceedings in I.A.No.II in abeyance. The order of keeping the proceedings on I.A.No.II under abeyance was challenged by the petitioner by filing a writ petition. While writ petition was pending, Family Court dismissed Crl.Misc.No.66/2024 for non-prosecution and challenging the order thus passed, this revision petition is filed. Learned counsel states that Crl.Misc.No.66/2024 was dismissed, while the writ petition filed challenging orders on I.A.No.II was still pending before this Court. Learned



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counsel states that petitioner has got good grounds to succeed and therefore, the impugned order is required to be set aside and fair opportunity is required to be granted to the petitioner to pursue the matter.

4. It is not the case of the petitioner that this Court, in the writ petition filed by the petitioner, granted an order of stay of all further proceedings in Crl.Misc.No.66/2024. Therefore, petitioner ought to have pursued the matter. That apart, as per the material available on record, petitioner failed to file her statement of assets and liabilities. However, as the case is filed by the petitioner seeking maintenance, this Court is of the view that a fair opportunity is required to be granted to the petitioner to pursue the matter. Therefore, the revision petition is disposed of with the following:

**ORDER**

- (i) The writ petition is allowed.
- (ii) The impugned order is set aside.



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- (iii) The Court of Principal Judge, Family Court, Mangaluru is directed to restore Crl.Misc. No.66/2024 on file, deal with the case and dispose of the same on merits as per the procedure established by law.
- (iv) Petitioner shall file her statement of assets and liabilities before the Principal Judge, Family Court, Mangaluru by 17.08.2026. Also, petitioner shall pursue the matter diligently and without seeking any unnecessary adjournments.
- (v) This order does not preclude the Court of Principal Judge, Family Court, Mangaluru to pass adverse orders against the petitioner in case petitioner fails to pursue the matter diligently hereafter.

**Sd/-**  
**(DR.CHILLAKUR SUMALATHA)**  
**JUDGE**

DS  
CT:VC  
List No.: 1 SI No.: 42