



CNR: KAHC010572912025

NC: 2026:KHC:38724
RPFC No. 248 of 2025

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.248 OF 2025

BETWEEN:

SRI SIDDARAJU H. N.
SON OF LATE NINGAIAH
AGED ABOUT 46 YEARS
RESIDING AT HONNUR
YALANDUR TALUK
CHAMARAJANAGARA DISTRICT
KARNATAKA-571 441

ALSO WORKING AT
SIDDARAJU H. N.
SON OF LATE NINGAIAH
EMPLOYMENT NO.42500483584
STATION: MWM-DEPT:OPERATIONS
SOUTH WESTERN RAILWAYS
MALLESHWARAM
BENGALURU DIVISION-560 003

Digitally signed
by ASEefa
PARVEEN

Location: HIGH
COURT OF
KARNATAKA

(BY SRI NAGARAJA K. R., ADVOCATE)

...PETITIONER

AND:

SMT. MOUNA @ RENUKA
WIFE OF SRI SIDDARAJU H. N.
AGED ABOUT 29 YEARS
R/A NO.3925/20, 'B' 1ST MAIN



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8TH CROSS, GAYATRINAGAR
BENGALURU-560 021

...RESPONDENT

(BY SRI K. VISHWANATHA, ADVOCATE)

THIS RPFC IS FILED UNDER SEC.19(4) OF THE FAMILY COURTS ACT., AGAINST THE ORDER DATED 15.07.2025 PASSED IN CRL. MISC NO.170/2020 ON THE FILE OF VI ADDITIONAL PRINCIPAL JUDGE, FAMILY COURT, BENGALURU., 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

Heard Sri.Nagaraja.K.R learned counsel for the petitioner as well as Sri.K.Vishwanatha learned counsel for the respondent.

2. Challenge in this revision petition is the order that is passed by the Court of VI Additional Principal Judge, Family Court, Bangalore in Crl.Misc.No.170/2020 dated 15.07.2025.

3. The undisputed facts of the case are indicated point wise:



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- i) Petitioner initially married the sister of the respondent by name Shwetha.
- ii) The wedlock between the petitioner and Smt.Shwetha resulted in birth of a male child named Lingaraju.H.S.
- iii) Smt. Shwetha died within short time of giving birth to the child.
- iv) Respondent was given in marriage to the petitioner in the year 2014.
- v) Petitioner and respondent lived together till 2017.
- vi) Due to disputes that arose between them, petitioner started residing separately. Thereby respondent and the child i.e., Lingaraj.H.S used to reside under one roof.

4. Arguing the matter, learned counsel for the petitioner submits that only due to pressure by elders, respondent married the petitioner. Respondent was having love affair with another person and therefore, she did not permit the petitioner to have sexual intercourse with her.



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Due to disputes that arose between them, they started residing separately. Though respondent is not the biological mother of the child, as the child was much attached to the respondent, child and the respondent are residing together. Petitioner is ready and willing to take care of the child and to meet all his necessities. However, petitioner is not under obligation to pay any maintenance to the respondent. That apart, respondent is an employee. She works as caretaker and earns around Rs.15,000/- per month. Petitioner is an employee in South Western Railway. His take home salary is around Rs.20,000/- per month. Without considering the financial status of the petitioner, Family Court directed the petitioner to pay respondent a sum of Rs.7,500/- per month and Rs.7,500/- per month for the maintenance of the child. As the petitioner cannot pay such a huge sum and as he is not under obligation to pay any maintenance to the respondent, he filed this revision petition. Learned counsel thereby seeks to allow the revision petition.



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5. Opposing the submission thus made, learned counsel for the respondent states that gross salary of the petitioner is around Rs.60,000/- per month. Respondent has no source of earnings and she is taking care of the child of the petitioner. Also, petitioner failed to file his statement of assets and liabilities. Considering all these facts, Family Court rightly directed petitioner to pay respondent a sum of Rs.7,500/- per month and the child a sum of Rs.7,500/- per month towards maintenance and thus, this revision petition is not maintainable.

6. Petitioner has filed his statement of assets and liabilities before this Court. He also enclosed copies of payslips for the months of July, August and September-2025. The pay slip pertaining to September 2025 reveals that the gross pay of the petitioner is Rs.64,550/-. The net pay is shown to be Rs.25,104/-. Petitioner is paying a sum of Rs.27,300/- per month for the housing loan he obtained.



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7. Procuring assets, either movable or immovable by any person, should be carried out after meeting his liabilities which includes maintenance of his dependents. No material whatsoever is produced to show that respondent has got her own source of earnings. That apart, respondent is taking care of the child of the petitioner though she is not the biological mother of that child. Thus, petitioner cannot take aid of the fact that he is paying a sum of Rs.27,300/- per month for the house loan obtained and thereby he cannot escape from liability of maintaining his wife and child. The contention of the petitioner is that respondent declared that she is in love with another person and thereby refused cohabitation. However, material available on record reveals that they lived together for a period of three years. It is not the case of the petitioner that during that period, respondent was not faithful to him or that she left the matrimonial home to meet the alleged person with whom she fell in love. Therefore, petitioner cannot escape from the liability to



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maintain his legally wedded wife and the child. Family Court taking into consideration all the factual aspects has come to a just conclusion that petitioner is under liability to maintain his wife and child. Thereby Family Court directed petitioner to pay respondent a sum of Rs.7,500/- and the child a sum of Rs.7,500/- per month for their maintenance. Therefore, this Court is of the view that there are no grounds to interfere. Hence the following:

ORDER

The revision petition is dismissed.

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

DS
CT:VC
List No.: 1 Sl No.: 44