



CNR: KAHC010574432025

NC: 2026:KHC:38950
RPFC No. 247 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.247 OF 2025

BETWEEN:

SRI SRINIVASA R. G.
S/O. RAJAGOPAL
AGED ABOUT 41 YEARS
R/AT 185/21, D.C. STREET
7TH CROSS, 5TH MAIN
CHAMARAJPET
BENGALURU-560 018

...PETITIONER

(BY SRI E. VEERESHA, ADVOCATE FOR
SRI PADMABHUSHANA MYLAR N. H., ADVOCATE)

AND:

1. SMT. V. GAYATHRI
W/O. SRINIVASA R. G.
R/AT NO.18, WARD NO.6
AMAR JYOTHI LAYOUT
6TH A CROSS, THANI SANDRA
NEAR MNK SCHOOL
BENGALURU-560 077
2. MASTER ASHWATH S.
S/O. SRINIVASA R. G.
AGED ABOUT 7 YEARS
R/AT NO.18, WARD NO.6
AMAR JYOTHI LAYOUT
6TH A CROSS, THANI SANDRA

Digitally signed
by ASEFA
PARVATHI
Location: HIGH
COURT OF
KARNATAKA



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NEAR MNK SCHOOL
BENGALURU-560 077

...RESPONDENTS

(BY SRI ANAND K., ADVOCATE)

THIS RPFC IS FILED UNDER SEC.19(4) OF FAMILY COURTS ACT., AGAINST THE ORDER DATED 19.10.2023 PASSED IN C.MISC NO.896/2022 ON THE FILE OF I 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

Heard Sri.Veeresha who represents Sri.Padmabhushana Mylar N.H., learned counsel on record for the petitioner as well as Sri.Anand K., learned counsel for respondents.

2. Challenge in this revision petition is the order that is passed by the Court of I Additional Principal Judge, Family Court, Bengaluru in CrI.Misc.No.896/2022 dated 19.10.2023.

3. Respondent No.1, the wife and respondent No.2, the son of the petitioner filed a petition under Section 125 CrPC claiming maintenance of ₹35,000/- per month from the



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petitioner herein. Family Court directed petitioner herein to pay respondents a sum of ₹25,000/- per month towards their maintenance. Aggrieved by the same, this revision petition is filed.

4. Learned counsel for the petitioner submits that no notice was served upon the petitioner. As he could not receive notice, he could not contest the matter. Without there being any material produced by respondents in respect of occupation and earnings of the petitioner, Family Court directed petitioner to pay respondents a sum of ₹25,000/- per month towards their maintenance. Learned counsel thereby seeks to set aside the impugned order.

5. On the other hand, learned counsel for the respondents submit that petitioner herein refused to receive the notice. Learned counsel also states that the Family Court considering the evidence produced by the respondents directed petitioner to pay respondents a sum of ₹25,000/- per month towards their maintenance. Learned counsel thereby seeks to dismiss the revision petition.



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6. Though petitioner was set *ex-parte* by the Family Court, as the respondents have sought maintenance from the petitioner, liability vests upon the respondents to place sufficient proof with regard to the occupation and earnings of the petitioner. Except Ex.P5 - Visiting Card, respondents had not produced any documents in respect of occupation and earnings of the petitioner herein. The contents of the visiting card alone cannot be taken into consideration either to decide the occupation of the person mentioned therein or his earnings. Though husband remained *ex-parte*, it is the liability of the wife and the children to establish the financial status of the other party from whom they are seeking maintenance. In the case on hand respondents failed to produce such proof. Therefore, to meet the ends of justice, this Court is of the view that the case is required to be remanded for proper adjudication.

7. Hence, the revision petition is disposed of with the following

ORDER

- i) The revision petition is allowed.



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- ii) The order that is rendered by the Court of I Additional Principal Judge, Family Court, Bengaluru, in Crl.Mic.No.896/2022 dated 19.10.2023 is set aside.
- iii) Both parties are directed to make their appearance before the Family Court, Bengaluru on 18.08.2026. Issuance of further notice to the parties by the Family Court is dispensed with.
- iv) Revision petitioner/respondent shall file his statement of objections as well as his statement of assets and liabilities, duly enclosing all relevant documents within one week from the date of appearance i.e. from 18.08.2026.
- v) Family Court is directed to afford opportunity to both parties to adduce their evidence.
- vi) Family Court is directed to dispose of the matter as expeditiously as possible preferably within a period of four months.



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- vii) Petitioner/respondent shall pay respondents/
petitioners a sum of ₹10,000/- per month towards
interim maintenance. Such amount shall be paid
from the date of filing of CrI.Misc.No.896/2022, till
the disposal of the case or until further orders by
the Family Court.
- viii) All arrears shall be cleared within a period of 45
days.
- ix) Only on clearing the arrears, petitioner be permitted
to lead his evidence.

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

AP
List No.: 1 Sl No.: 43