



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 9TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

REV.PET FAMILY COURT NO. 289 OF 2025

C/W

REV.PET FAMILY COURT NO. 264 OF 2024

IN RPFC No.289/2025:

BETWEEN:

SMT. PUTTANANJAMMA,
W/O GANGAIAH,
AGED ABOUT 65 YEARS,
R/AT YALADAHALLI VILLAGE,
NAGAVALLI POST, HEBBUR HOBLI,
TUMAKURU TALUK AND DISTRICT -572 120.

...PETITIONER

(BY SRI. N. KUMAR, ADVOCATE)

AND:

SRI. B. H. GANGAIAH,
S/O BORALINGAIAH,
AGED ABOUT 67 YEARS,
C/O SAKAMMA,
R/AT KEMPASAGARA (AGRAHARA),
KOTTAGERE HOBLI, KUNIGAL TALUK,
TUMAKURU DISTRICT-572 130.

...RESPONDENT

(BY SRI.H.R.SANJEEVE GOWDA, ADVOCATE)

THIS RPFC FILED UNDER SEC.19(4) OF THE FAMILY
COURTS ACT., AGAINST THE ORDER DATED 28.10.2024

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by AASEEFA
PARVEEN
Location: HIGH
COURT OF
KARNATAKA



NC: 2026:KHC:27785
RPFC No. 289 of 2025
C/W RPFC No. 264 of 2024

PASSED IN CRL.MISC NO.56/2023 ON THE FILE OF I
ADDITIONAL PRINCIPAL JUDGE, FAMILY COURT, TUMAKURU,
PARTLY ALLOWING PETITION FILED UNDER ORDER 127 OF
Cr.P.C FOR MAINTENANCE.

IN RPFC NO. 264/2024:

BETWEEN:

SRI. B H GANGAIAH
S/O. BORALINGAIHA,
AGED ABOUT 68 YEARS,
C/O SAKAMMA,
RESIDING AT:
KEMPASAGARA AGARAHARA
KOTTAGERE HOBLI,
KUNIGAL TALUK,
TUMAKURU DISTRICT-572 101.

...PETITIONER

(BY SRI. H. R. SANJEEVE GOWDA, ADVOCATE)

AND:

SMT. PUTTANANJAMMA,
W/O. GANGAIAH,
AGED ABOUT 66 YEARS,
RESIDING AT YALDAHALLI VILLAGE,
NAGAVALLI POST,
HEBBUR HOBLI,
TUMAKURU TALUK,
TUMAKURU DISTRICT-572 101.

...RESPONDENT

(BY SRI. N. KUMAR, ADVOCATE)

THIS RPFC FILED UNDER SEC.19(4) OF THE FAMILY
COURTS ACT., AGAINST THE ORDER DATED 28.10.2024



NC: 2026:KHC:27785
RPFC No. 289 of 2025
C/W RPFC No. 264 of 2024

PASSED IN CrI. Misc. NO.56/2023 ON THE FILE OF THE I ADDITIONAL PRINCIPAL JUDGE, FAMILY COURT, TUMAKURU, PARTLY ALLOWING THE PETITION FILED UNDER SEC.127 OF Cr.P.C., FOR ENHANCEMENT OF MAINTENANCE.

THESE PETITIONS ARE COMING ON FOR ADMISSION, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

ORAL ORDER

Heard Sri.H.R. Sanjeeve Gowda, learned counsel for the petitioner in RPFC No.264/2024 who represents the respondent in the connected matter. Also heard Sri.N.Kumar, learned counsel for the respondent in RPFC No.264/2024 who represents the petitioner in the connected matter i.e. RPFC No. 289/2025.

2. These two revision petitions are the outcome of the order that is passed by the Court of I Additional Principal Judge, Family Court, Tumkur, in CrI.Misc. Case No.56/2023 dated 28.10.2024. As the relationship between the parties to these revision petitions is not in dispute, for the sake of convenience of discussion they will hereinafter be referred to as husband and wife.



3. By all the material that is brought on record, it is clear that wife filed a petition against husband seeking maintenance and the same was allowed in the year 2009 directing husband to pay wife a sum of ₹1,000/- per month towards maintenance. The Order passed was challenged by filing a revision petition. The revision petition was allowed-in-part in the year 2010 and the amount ordered to be paid towards maintenance was enhanced from ₹1,000/- to ₹1,500/-. Wife thereafter filed Crl.Misc.Case No.56/2023 seeking the Family Court to enhance the monthly maintenance from ₹1,500 per month to ₹30,000/-. Through the impugned order, the maintenance payable by husband to the wife was enhanced to ₹10,000/-. Husband filed RPFC No.264/2024 contending that ₹10,000/- ordered to be paid by him towards maintenance to his wife is exorbitant. Wife filed RPFC No.289/2025 projecting that the amount granted towards maintenance through the impugned order by way of enhancement is grossly low and that she is entitled to the amount claimed.

4. Learned counsel who represents the husband submits that husband was regular in paying maintenance to his



wife. Parties were blessed with two children and husband imparted education to those children, looked after their each and every necessity and made them settle in life. He retired from service and he draws around ₹11,000/- per month towards pension. That apart, husband suffers with different kinds of ailments and he requires lot of amount for his treatment. Therefore, he cannot pay huge sum of ₹10,000/- towards maintenance to his wife and thus the revision petition filed by him is required to be allowed.

5. Learned counsel who represents the wife on the other hand states that wife suffers from mental illness and epilepsy. She is under continuous medication. Only because she suffers with mental illness, she was deserted by her husband. She is being looked after by her sister and brother-in-law. By the documents filed by the husband himself before this Court it is clear that he receives more than ₹30,000/- towards pension. Therefore, the amount awarded towards maintenance i.e. ₹10,000/- through the impugned order is on lower side and therefore, allowing the revision petition filed by the wife, the same may be enhanced.



6. The account statement filed before this Court by the husband himself goes to show that he receives a sum of ₹32,824/- as pension as of now. There is no denial of the fact that wife has no source of earnings and that she is solely dependent upon others for her livelihood and also that she suffers with mental illness. There is a clear observation in the impugned order that husband who examined himself as RW.1 admitted in his cross-examination that wife suffers from epilepsy and that she takes treatment at NIMHANS. Also, it cannot be denied that husband who is aged around 67 years suffers with old age ailments as contended by him. Thus, even husband requires certain amount for his treatment and medicines. Thus, considering the totality of facts and circumstances more particularly that he receives around ₹30,000/- per month towards pension, that he has no other obligations except to maintain his wife, and that wife has no source of earnings whatsoever, this Court is of the view that amount awarded towards maintenance through the impugned order is proper. The sum arrived at by the family Court cannot be altered so as to enhance it as sought for by the wife or be reduced it as pleaded by the husband. Thus, the ultimate



conclusion of this Court is that both the revision petitions are devoid of merits. Resultantly, the following:

ORDER

- (i) Both the revision petitions are dismissed.
- (ii) Proceedings in pending interlocutory applications in both the revision petitions are closed.

Sd/-
(DR.CHILLAKUR SUMALATHA)
JUDGE

AP
CT:TSM
List No.: 1 Sl No.: 40