HC-KAR
CNR: KAHC010083352023

NC: 2026:KHC:61354
RPFC No. 44 of 2023
C/W RPFC No. 2 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 4TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

REV.PET FAMILY COURT NO. 44 OF 2023

C/W

REV.PET FAMILY COURT NO. 2 OF 2024

IN RPFC No. 44/2023

BETWEEN:

RAVINDRA M.D.,
S/O K.M.DODDABASAPPA,
AGED ABOUT 45 YEARS,
RESIDING OF DOOR NO. 2002/67,
ANJANEYA EXTENSION,
DAVANAGERE
R/O DOOR 2035/186,
13TH CROSS, ANJANEYA EXTENSION,
DAVANAGERE- 577 004

...PETITIONER

(BY SRI.SANTOSH R NELKUNDRI, ADVOCATE)

Digitally signed by SUVARNA T
Location: HIGH COURT OF KARNATAKA

AND:

SMT. PUSHPALATHA
D/O GANGAPPA GOWDA,
AGED ABOUT 41 YEARS,
SAMSONS DISTELLERY ROAD,
ANEKONDA, DAVANAGERE

...RESPONDENT

(BY SRI. CHANDRASHEKAR G.M., ADVOCATE)

THIS RPFC FILED U/S.19(4) OF THE FAMILY COURTS ACT., AGAINST THE ORDER DATED 08.11.2022 PASSED IN

Crl.MISC.NO.236/2020 ON THE FILE OF THE JUDGE, FAMILY COURT, DAVANAGERE. PARTLY ALLOWING THE PETITION FILED U/S.127 OF Cr.P.C FOR MAINTENANCE.

IN RPFC NO. 2/2024

BETWEEN:

PUSHPALATHA
D/O GANGAPPA GOWDA,
AGED ABOUT 44 YEARS,
R/A SAMSONS DISTILLARY ROAD,
ANEKONDA,
DAVANAGERE

...PETITIONER

(BY SRI. CHANDRASHEKAR G.M., ADVOCATE)

AND:

RAVINDRA H.D.,
S/O K.M.DODDABASAPPA,
AGED ABOUT 48 YEARS,
R/A DOOR NO.2002/67,
ANJANEYA EXTENSION,
DAVANAGERE- 577 004

...RESPONDENT

(BY SRI. SANTOSH R NELKUDURI, ADVOCATE)

THIS RPFC FILED UNDER SEC. 19(4) OF THE FAMILY COURT ACT, AGAINST THE ORDER DATED 08.11.2022. PASSED IN CRL.MISC NO.236/2020 ON THE FILE OF JUDGE, FAMILY COURT, DAVANAGERE, PARTLY ALLOWING THE PETITION FILED UNDER SEC. 127 OF CR.P.C. FOR MAINTENANCE.

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

CORAM: HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

HC-KAR

CNR: KAHC010083352023

NC: 2026:KHC:61354
RPFC No. 44 of 2023
C/W RPFC No. 2 of 2024

ORAL ORDER

Aggrieved by the orders passed in Crl.Misc.No.236/2020 dated 08.11.2022 by the Family Court, Davanagere whereby the family court had enhanced and granted maintenance of an amount of Rs.6,000/- per month to the wife, both the husband and wife are before this court. The husband's petition is RPFC.No.44/2023 and the wife filed RPFC.No.2/2024.

2. Both the parties are referred to as husband and wife for the sake of convenience.

3. Learned counsel appearing for the wife submits that the husband has agricultural income of Rs.20,00,000/- per annum and income from real estate business and other sources. The family court, without considering these aspects, granted maintenance of only an amount of Rs.6,000/- per month, which is insufficient for her to maintain herself.

4. Learned counsel appearing for the husband submits that he does not have the income as stated by the wife, and that the wife has not placed anything before the court to show her expenses. It is submitted that the family court has rightly considered the matter and passed an order.

5. Having heard the learned counsel on either side, perused the entire material on record. This Criminal Petition is of the year 2020. The Hon'ble Apex Court in the case of ***Rajneesh Vs. Neha***[1] had mandated that both the wife and husband shall file their respective statement of assets and liabilities, to facilitate the court to grant a reasonable maintenance amount based on the assets and liabilities. In this case, admittedly both the parties have not filed their respective statement of assets and liabilities. According to the wife, the husband is earning Rs.20,00,000/- per annum. In those circumstances, unless and until the material is on record, it would be very difficult for this court to grant any maintenance based on the guess work. In that view of the matter, this court is passing the following:

ORDER

i. The order dated 08.11.2022 passed by the family court, Davanagere is ***set aside*** and the matter is ***remanded back*** to the family court, Davanagere for fresh consideration.

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[1] 2021 2 SCC 324

ii. Both the parties shall file their respective statement of assets and liabilities.

iii. Till the application is decided, the order granting Rs.6000/- as maintenance to wife shall be continued.

iv. Accordingly, both the RPFC are ***disposed off***.

v. Pending IAs., in this petition shall stand closed.

SD/-
(LALITHA KANNEGANTI)
JUDGE

TS
List No.: 2 Sl No.: 3
MR