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

**DATED THIS THE 06TH DAY OF NOVEMBER, 2026**

**BEFORE**

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

**REV.PET FAMILY COURT NO. 132 OF 2025**

**BETWEEN:**

SRI POORNESH L. J.,
AGED ABOUT 37 YEARS,
S/O JAGADEESH
R/AT D.NO. LOKAVALLI
MUDIGERE,
CHIKAMGALUR, DISTRICT - 577 132.

...PETITIONER

(BY SRI. SHRIRAM ADIGA, ADVOCATE)

**AND:**

SMT. ROHINI,
W/O POORNESH L. J.
AGED ABOUT 32 YEARS,
C/O MADHU W/O N KUMAR
R/AT: NEAR SHANESHWARA TEMPLE
DANTARAMAKKI,
CHIKKAMAGALURU CITY - 577 132.

...RESPONDENT

(BY SMT. JAYALAKSHMAMMA K.B., ADVOCATE)

Digitally signed by AASEEFA PARVEEN
Location: HIGH COURT OF KARNATAKA

THIS RPFC FILED UNDER SEC.19(4) OF THE FAMILY COURTS ACT., AGAINST THE ORDER DATED 22.03.2025 PASSED IN Crl.Misc NO.74/2022 ON THE FILE OF PRL. JUDGE, FAMILY COURT, CHIKKAMAGALURU., PARTLY ALLOWING PETITION FILED UNDER SEC.125 OF Cr.P.C., FOR MAINTENANCE.

THIS PETITION, HAVING BEEN HEARD AND RESERVED FOR ORDERS ON ***08.10.2026,*** COMING ON THIS DAY, PRONOUNCED THE FOLLOWING:

CORAM: HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

**CAV ORDER**

This revision petition is the outcome of the order that is rendered by the Court of Principal Judge, Family Court, Chikkamagaluru in Crl.Misc.No.74/2022 dated 22.03.2025.

2. As the relationship between the parties is not in dispute, the revision petitioner will hereinafter be referred to as husband and respondent as wife.

3. Wife filed a petition which came to be numbered as Crl.Misc.No.74/2022 seeking the Court to direct her husband to pay her a sum of Rs.25,000/- per month towards her maintenance. Family Court, through the impugned order, directed husband to pay wife a sum of Rs.12,000/- per month towards her maintenance till her lifetime or till her remarriage and aggrieved by the liability thus imposed, husband filed this revision petition.

4. Heard Sri.Shriram Adiga learned counsel for the petitioner as well as Smt.Jayalakshmi.K.B learned counsel for the respondent.

5. The case of the wife as borne by record is that their marriage was registered in the year 2011. However, it was solemnized in the year 2012. After marriage, they lived happily for about one month. Her husband took all her gold ornaments, pledged them, and obtained loan for his lavish life. Further, he took six blank cheque leafs belonging to her and misutilised the same. Further, her husband, his parents, and his sister inflicted mental and physical cruelty upon her, demanding dowry. Several panchayats were held and finally, she left the house. Her father-in-law and one Soma Setty gifted 0.02 guntas of land in her favour through a registered Gift Deed. Her husband was always demanding her to subscribe her signature in order to obtain loan for construction of a house. The house was constructed, but she was not allowed to enter the house. She lodged complaint to police and a criminal case was registered against her husband, his parents and sister. She started residing at Working Women's Hostel, Mudigere. But, her husband visited that hostel, abused her and assaulted her in public. Therefore,

she left the hostel and started residing near Shaneshwara Temple, Chikkamagaluru and there also she was abused and assaulted by her husband. Her husband maintains a tailoring shop under the name 'Srinidhi Stitch Wear' at Mudigere and he has also got agricultural property and thereby he earns more than Rs.1,00,000/- per month.

6. The version of the husband on the other hand is that himself and his wife lived together for about nine years with love and affection but his wife used to pick up quarrel with him and his family members and in the year 2022 she left his company and joined Brahmakumari Trust. His wife works as teacher in Mangalore and earns Rs.30,000/- per month and before that she was running a computer institute by name MICE at Mudigere. She has also done beautician course and worked as beautician at Suratkal, Mangalore. Thus she is having good source of income to maintain herself. Further, he filed a petition for restitution of conjugal rights and the same is pending. He is working as tailor and his income is not permanent and thus, he is not liable to pay any maintenance.

7. With these versions made by both, arguing on the merits of the matter, learned counsel for the petitioner contended that Family Court is not justified in ordering petitioner/husband to pay respondent/wife huge sum of Rs.12,000/- per month. Being a graduate, respondent earns more than Rs.30,000/- per month. Petitioner/ husband as tailor earns very meager amount which is not sufficient for him to maintain himself and his parents. Family Court went wrong in quantifying the amount of maintenance and therefore, this revision petition is filed. Learned counsel thereby seeks to reduce the sum by modifying the impugned order.

8. On the other hand, learned counsel for the respondent submitted that petitioner took away all the gold ornaments of the respondent/wife, pledged them and spent the amount for his lavish life. Further, he took six blank cheques of respondent/wife and gained wrongfully through those cheques. Sufficient evidence was produced to show those acts of petitioner/husband. That apart, petitioner/husband is residing in the house which

exclusively belongs to respondent/wife. Respondent/wife has no source of earnings whatsoever and thus, it is the liability of petitioner/husband to maintain her. Thus, the revision petition is devoid by merits.

9. Through Exs.P5 to P11 and P15, respondent/wife established that petitioner/ husband pledged the gold ornaments and obtained loan from pawn brokers. Also, through Ex.P4-RTC extract, respondent/wife established that 19 guntas of land mentioned therein stands in the name of petitioner/ husband. Family Court at para 15 of the impugned order made a clear mention that the petitioner/husband admitted that the house property standing in the name of respondent/wife exclusively belongs to her but he is residing in the said house. Though petitioner/husband contended that respondent/wife works as teacher and earns Rs.30,000/- per month, no substantive proof was produced to that effect. Likewise he failed to establish that respondent/wife was running a computer institute that she had done a beautician course and worked as beautician at Suratkal, Mangaluru.

Petitioner/husband admits his occupation that he is a tailor by profession. Though respondent/wife could not establish the earnings of petitioner/husband, taking into consideration his occupation, this Court is of the view that petitioner/ husband can easily earn at least Rs.750/- to Rs.1,000/- per day through his profession as tailor. His version is that he has to maintain his parents. Thus, taking into consideration all these factors this Court is of the view that petitioner/husband can be directed to pay respondent/wife a sum of Rs.10,000/- per month towards her maintenance. Payment of Rs.12,000/- per month towards maintenance as ordered by the Family Court is slightly excessive. Therefore, the revision petition is disposed of with the following:

**ORDER**

i. The revision petition is allowed in part.

ii. The order that is rendered by the Court of Principal Judge, Family Court, Chikkamangaluru in Crl.Misc.No.74/2022 dated 22.03.2025, is modified.

iii. Petitioner/husband is directed to pay respondent/wife a sum of Rs.10,000/- per month towards her maintenance and such amount shall be paid from the date of filing of Crl.Misc.No.74/2022 till her lifetime or her remarriage or this order is modified by the Competent Court.

iv. The order in respect of annual enhancement shall remain in force.

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

DS
CT:TSM