HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF JULY, 2026

BEFORE

THE HON'BLE MRS. JUSTICE P SREE SUDHA

RPFC NO. 82 OF 2026

BETWEEN:

RAVIKUMAR
S/O VANKETESH
AGED ABOUT 42 YEARS
R/AT JODIKRISHNAPURA VILLAGE,
DUDAHOBLI, HASSAN TALUK
HASSAN - 573 201.

...PETITIONER

(BY SMT. KAVITHA H.C, ADVOCATE)

AND:

1. JAYALAKSHMI
   W/O RAVIKUMAR
   AGED ABOUT 32 YEARS

2. DRUTHI
   D/O RAVIKUMAR
   AGED ABOUT 9 YEARS
   (SINCE MINOR REPRESENTED BY HER
   MOTHER RESPONDENT NO.1,

   BOTH RESPONDENT 1 AND 2
   R/AT JODI KRISHNAPURA BVILLAGE
   DUDHA HOBLI, HASSAN - 573 201

   ALSO R/AT KADALU VILLAGE,

Digitally signed by PADMASHREE SHEKHAR DESAI
Location: High Court of Karnataka

KUNDURU HOBLI, ALUR TALUK,
HASSAN - 573 201.

…RESPONDENTS

THIS RPFC IS FILED UNDER SECTION 96 OF CPC, AGAINST THE JUDGMENT AND DECREE DATED 18.02.2026 PASSED ON I.A.NO.2 IN OS.NO.174/2025 ON THE FILE OF THE PRINCIPAL JUDGE, FAMILY COURT, HASSAN, ALLOWING THE I.A.NO.2 FILED UNDER SECTION 144(2) OF BNSS.

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

CORAM: HON'BLE MRS. JUSTICE P SREE SUDHA

ORAL ORDER

This RPFC is filed against the order dated 18.02.2026 passed by the Family Court in Crl.Misc.No.174/2025 in I.A. No.2, the application filed by the wife seeking interim maintenance of Rs.20,000/- per month. The Family Court held that petitioner Nos.1 and 2 are entitled to interim maintenance of Rs.5,000/- per month from the date of filing of the application till the disposal of the main petition.

2. Being aggrieved by the said order, the present RPFC is filed by husband in which it is stated that the Court below has not taken into consideration that the respondent/wife has agreed in M.C.No.35/2023 i.e., mutual consent divorce proceedings that she will not claim any maintenance from the petitioner. It is further contended that the petitioner is doing coolie work and has limited source of income. The petitioner handed over the relevant documents and furniture to the respondent under the mutual proceedings. As the petitioner has no source of income, as she undertook not to claim maintenance, they requested this Court to modify the order of the Court saying that only second petitioner/minor child is entitled for Rs.5,000/-. This Court has perused the terms and conditions entered between the parties at the time of taking mutual divorce. In the said proceedings the respondent-wife clearly stated that she will not claim any maintenance from the petitioner. Therefore, this Court finds it just and reasonable to modify the order of the

Family Court to an extent that petitioner No.1 (wife) is not entitled to interim maintenance. However, petitioner No.2 being the minor child, is entitled to interim maintenance of Rs.5,000/- per month from the date of filing of the application till the disposal of the main petition.

3. With the said modification, the RPFC is ***allowed.***

Sd/-
(P SREE SUDHA)
JUDGE

AMA
List No.: 3 Sl No.: 2