NC: 2024:KHC-K:711
RPFC No. 200070 of 2022
C/W RPFC No. 200013 of 2023

IN THE HIGH COURT OF KARNATAKA,

KALABURAGI BENCH

DATED THIS THE 18TH DAY OF JANUARY, 2024

BEFORE

THE HON'BLE MR. JUSTICE E.S.INDIRESH

REV.PET FAMILY COURT NO. 200070 OF 2022

C/W

REV.PET FAMILY COURT NO. 200013 OF 2023

IN RPFC NO.200070 OF 2022

BETWEEN:

BANADESHWARA S/O BASANNA IKKELLY,
AGED ABOUT: 52 YEARS, OCC: PRIVATE WORK,
R/O RANGAMPET, TQ: SURUPUR,
DIST YADGIR 585201.

...PETITIONER

(BY SRI. ARUNKUMAR AMARGUNDAPPA, ADVOCATE)

Digitally signed by SACHIN
Location: HIGH COURT OF KARNATAKA

AND:

1. SMT.GIRIJA W/O BANADESHWARA,
   AGED ABOUT: 33 YEARS, OCC: HOUSEHOLD,
   R/O H NO. 10-2-63/1, MAKTHALPET,
   KUMBAR ONI, RAICHUR
   TQ AND DIST:RAICHUR-584102.

2. KUMARI NIVEDITHA D/O BANADESHWARA,
   AGED ABOUT:20 YEARS, OCC: STUDENT,
   R/O H.NO. 10-2-63/1, MAKTHALPET,
   KUMBAR ONI, RAICHUR,
   TQ AND DIST RAICHUR-584102.

3. ANILKUMAR S/O BANADESHWARA,
AGED ABOUT:17 YEARS, OCC:STUDENT,
R/O H NO. 10-2-63/1, MAKTHALPET,
KUMBAR ONI, RAICHUR,
TQ AND DIST:RAICHUR-584102,
(RESPONDENT NO.3 MINOR REPTD BY PETITIONER NO.1 NATURAL MOTHER)

…RESPONDENTS

(BY SRI.SHARANAGOUDA V PATIL, ADVOCATE)

THIS RPFC IS FILED UNDER SECTION 19(4) OF THE FAMILY COURTS ACT, PRAYING TO SETTING ASIDE JUDGMENT AND ORDER DATED 01.10.2022, IN CRL. MISC. NO.14/2017 PASSED BY THE PRL. JUDGE, FAMILY COURT, AT RAICHUR, IN THE INTEREST OF JUSTICE AND EQUITY.

IN RPFC NO. 200013 OF 2023

BETWEEN:

1. SMT.GIRIJA W/O BANADESHWARA,
AGE:35 YEARS, OCC:HOUSEHOLD WORK,

2. KUMARI NIVEDITHA
D/O BANADESHWARA,
AGE:19 YEARS, OCC: STUDENT,

3. ANILKUMAR S/O BANADESHWARA
AGE:16 YEARS, OCC: STUDENT,
PETITIONER-3 ARE MINORS U/G PETITIONER NO.1

ALL R/O H.NO. 10-2-63/1, MAKHTAL PETH,
KUMBAR ONI,RAICHUR 584 101.

…PETITIONERS

(BY SRI. SHARANAGOWDA V PATIL, ADVOCATE)

AND:

SRI.BANADESHWARA S/O BASSANNA IKKELLI,
AGE:50 YEARS, OCC: PRIVATE WORKER,
R/O RANGAMETH-SHORAPUR,
TQ.SHORAPUR, DIST:YADGIRI- 585223

…RESPONDENT

(BY SRI.ARUNKUMAR AMARGUNDAPPA, ADVOCATE)

THIS RPFC IS FILED UNDER SECTION 19(4) OF THE FAMILY COURTS ACT, PRAYING TO MODIFY THE IMPUGNED JUDGMENT AND ORDER DATED 01.10.2022, IN CRL. MISC. No.14/2017 PASSED BY THE PRL. JUDGE, FAMILY COURT AT RAICHUR, THEREBY ENHANCING THE MAINTENANCE AMOUNT TO Rs.15,000/- PER MONTH TO PETITIONER No. 1 AND 3 AND Rs.8,000/- P.M. TO PETITIONER No. 2 AND 3 BY ALLOWING THE SAID REVISION PETITION, IN THE INTEREST OF JUSTICE.

THESE PETITIONS, COMING ON FOR ORDERS, THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

In these petitions the petitioners are challenging the order dated 01.10.2022 in Crl.Misc.No.14 of 2017 the Principal Judge, Family Court, Raichur, grant of maintenance to the petitioners therein.

2. RPFC No.200070 of 2022 is filed by the respondent in Crl.Misc.No.14 of 2017 seeking quashing of the impugned order dated 01.10.2022 and RPFC No. 200013 of 2023 is filed by the petitioners in Crl.Misc.No.14 of 2017 seeking enhancement of maintenance.

3. Heard the learned counsel appearing for the parties.

4. Having heard the learned counsel appearing for the parties, there is no dispute with regard to the relationship between the parties and in their wedlock two children were born. It is also recorded by the Family Court that, the parties are residing separately.

5. Taking into account the quantum of maintenance awarded by the Family Court and as the petitioner No.1 in Crl.Misc.No. 14 of 2001-Smt. Girija has to take care of two children and as the

respondent-husband is having immovable property, I am of the opinion that, award of maintenance by the Family Court is just and proper and does not call for interference. It is also pertinent to mention that, the petitioners in RPFC No.200013 of 2023 have not produced any material or urged valid grounds for enhancement of maintenance. In the result, both the revision petitions are ***dismissed***.

Sd/-
JUDGE

SB
List No.: 2 Sl No.: 6