NC: 2024:KHC-K:708
RPFC No. 200014 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. 200014 OF 2023 (-)

BETWEEN:

VIJAYKUMAR S/O VITHAL BADIGER,
AGE:46 YEARS, OCC:BUSINESS,
R/O POST SHARAN NAGAR, SHAHABAD,
TALUKA SHAHABAD,
DIST KALABURAGI-585228.

...PETITIONER

(BY SRI. RAMCHANDRA K, ADVOCATE)

AND:

SUJATA W/O VIJAYKUMAR BADIGER,
AGE: 43 YEARS OCC: HOUSEHOLD,
R/O POST SHARAN NAGAR SHAHABAD,
TALUKA SHAHABAD DIST KALABURAGI,
NOW AT PRESENT AT MAHAGOAN VILLAGE,
TALUKA AND DIST KALABURAGI-585316.

...RESPONDENT

(BY SRI.SUDHEEER KULKARNI , ADVOCATE)

Digitally signed by SACHIN
Location: HIGH COURT OF KARNATAKA

THIS RPFC IS FILED UNDER SECTION 19(4) OF THE FAMILY COURTS ACT, PRAYING TO CALL FOR THE RECORDS IN CRIMINAL MISC. NO. 258/2019 FROM THE FAMILY JUDGE COURT KALABURAGI, DATED 29.08.2022 TO SET ASIDE THE IMPUGNED ORDER AND REMAND THE MATTER BEFORE THE FAMILY COURT KALABURAGI, TO GIVE AN OPPORTUNITY TO

THE PETITIONER TO CONTEST THE PETITION U/SEC. OF 125 CR.P.C. WHICH WAS FILED BY THE RESPONDENT ETC.

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

ORDER

Heard the learned counsel appearing for the parties.

2. The petitioner is assailing the order dated 29.08.2022 in Crl.Misc.No.258 of 2019 on the file of Principal Judge, Family Court at Kalaburgai, granting maintenance to the respondent herein.

3. Taking into consideration the finding recorded by the Family Court, it is not in dispute that the marriage between the parties was solemnized on 30.05.2004. Notice issued by the Family Court was served on the petitioner herein and he remained absent.

4. Taking into consideration fact that the parties are residing separately and as the respondent herein has produced the record of rights as per Ex.P1, and same would indicate that the petitioner is having immovable property, and therefore, I am of the opinion that, grant of maintenance of Rs.5,000/- per month to the respondent by the Family Court is just and proper and does not call for interference. Accordingly, the revision petition is ***dismissed***.

Sd/-
JUDGE

SB
List No.: 2 Sl No.: 11