



**IN THE HIGH COURT OF KARNATAKA, DHARWAD BENCH**  
**DATED THIS THE 14<sup>TH</sup> DAY OF MARCH, 2025**  
**BEFORE**  
**THE HON'BLE MR. JUSTICE E.S.INDIRESH**  
**REV.PET FAMILY COURT NO. 100123 OF 2024**

**BETWEEN:**

MR. NAGARJUNA REDDY. R V.  
S/O. LATE UMAKANTHA REDDY,  
AGE: 36 YEARS, OCC: PRIVATE EMPLOYEE,  
R/O. "SRI GURU KRUPA", GROUND FLOOR,  
ASHOK NAGAR, NEAR CANAL,  
WARD NO.36, AVAMBHAVI, BALLARI-583101.

...PETITIONER

(BY SRI. S.B.DODDAGOUDAR, ADVOCATE)

**AND:**

1. SMT. MITHELA REDDY  
W/O. MR. NAGARJUNA REDDY R.V.,  
D/O. PRATHAP KUMAR GOWDA,  
AGE: 33 YEARS, OCC: CIVIL ENGINEER,  
R/O. II<sup>ND</sup> CROSS, PARVATHI NAGAR,  
BALLARI-583101.

2. KUMA. NIKITHASRI  
D/O. R.V.NAGARJUNA REDDY,  
AGE: 5 YEARS, REP. BY HER NATURAL  
GUARDIAN MOTHER MITHELA REDDY  
W/O. R.V.NAGARJUNA REDDY,  
R/O. II<sup>ND</sup> CROSS, PARVATHI NAGAR,  
BALLARI-583101.

...RESPONDENTS

THIS RPFC IS FILED UNDER SEC.19(4) OF THE  
FAMILY COURT ACT, 1984, PRAYING TO, SET ASIDE THE  
JUDGMENT/ORDER PASSED BY THE PRL. JUDGE FAMILY  
COURT, BALLARI IN CRL.MISC.NO.198/2022 DATED  
30.04.2024.





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

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

**ORAL ORDER**

1. This petition is filed by the respondent – husband challenging the order dated 30.04.2024 in Crl.Misc.No.198/2022 on the file of the Principal Judge, Family Court, Ballari<sup>1</sup> granting maintenance to the respondents herein.

2. For the sake of convenience, the parties are referred to as per their ranking before the Family Court.

3. It is the case of the petitioners before the Family Court that the marriage between the petitioner No.1 with the respondent was solemnized on 22.06.2018- and in their wedlock petitioner No.2 is born. It is the case of the petitioners that the parents of respondent were not taking care of the petitioners and also humiliating the petitioners that the petitioner No.1 is belong to different

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<sup>1</sup> Hereinafter referred to as 'Family Court'



caste. It is also forthcoming from the claim petition that the parties are residing separately. Hence, the petitioners have filed CrI.Misc.No.198/2022 before the Family Court seeking maintenance.

4. After service of notice, the respondent – husband entered appearance and filed detailed statement of objection denying the allegations made against him. It is the case of the respondent that the respondent has filed M.C.No.104/2022 and also G & WC No.16/2022 and further contended that the petitioners have suppressed the aforementioned aspect in the claim petition. It is also stated in the objection that the petitioner No.1 has suppressed the material fact that petitioner No.1 is working at Zilla Panchayat, Ballari and therefore sought for dismissal of the petition.

5. The Family Court after considering the material on record, by its order dated 30.04.2024, allowed the petition in part by directing the respondent – husband to pay monthly maintenance of Rs.7,500/- to the petitioner



No.1 and Rs.15,000/- to petitioner No.2. Feeling aggrieved by the same, the respondent – husband has preferred this petition.

6. I have heard Sri.S.B.Doddagoudar, learned counsel appearing for the petitioner.

7. It is contended by the learned counsel for the petitioner that the Family Court has not properly considered the fact that respondent No.1 herein is working at Zilla Panchayat, Ballari and drawing salary of Rs.22,838/- and therefore, sought for interference of this Court.

8. In the light of the submissions made by the learned counsel for the petitioner and on careful examination of the finding recorded by the Family Court would indicate that the marriage of the petitioner No.1 with respondent - husband was solemnized on 22.06.2018 and in their wedlock petitioner No.2 is born. Perusal of the finding recorded by the Family Court would indicate that



there are two petitions namely M.C.No.104/2022 and G & WC No.16/2022 litigating between both the parties. In that view of the matter, it may be safely concluded that the parties are residing separately.

9. In the guise of the contentions raised by the learned counsel appearing for the petitioner that respondent No.1 is working at Zilla Panchayat, Ballari and drawing salary of Rs.22,838/- and same is reflected at para No.25 of the impugned order and the said aspect has not been disclosed by respondent No.1 in the claim petition. Therefore, I am of the view that the respondent No.1 herein has suppressed the material facts before the Family Court and hence the respondent No.1 herein is not entitled for maintenance from the petitioner herein.

10. No interference is called for insofar as award of maintenance in favour of petitioner No.2 herein is concerned.



11. With these observations, the petition is disposed of.

**Sd/-**  
**(E.S.INDIRESH)**  
**JUDGE**

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List No.: 2 Sl No.: 13