

**ORDERS ON I.A.No.1 FILED BY THE PETITIONERS UNDER  
SECTION 144(2) OF BNSS**

The petitioners have filed the present application under Section 144(2) of BNSS seeking for interim monetary relief of Rs.20,000/- per month till disposal of the above petition.

**2.** The petitioners have contended that the petitioner No.1 and the respondent are the legally wedded wife and husband and out of their wed lock they gave birth to petitioner No.2 and now the petitioner No.2 is in the custody of the petitioner No.1. After three months of the marriage, thereafter the respondent and his parents started to harass physically and mentally to the petitioner No.1 without any valid reason. In this regard the panchayathi has also held between the petitioner No.1 and the respondent and same went in vain. Further petitioner contends that for some of the period the petitioners and respondent were residing at rented house, there also respondent family use to give mental and physical harassment to petitioner No.1. The respondent and their family started to demand a dowry of Rs.10,00,000/- but the petitioner No.1's parents already spent huge sum of money for the marriage of the petitioner No.1 and the respondent. Thereafter the respondent and their family completely neglected the petitioners and failed to provide basic necessities to the petitioners. Now the petitioners does not have any source of income in order to fulfill their basic necessity. Hence this application.

**3.** On the other hand, the respondent has filed a objection wherein the respondent has denied the contentions of the petitioners and further admits that the petitioner No.1 and the respondent are the legally wedded husband and wife and further submits that, respondent and his parents has spent Rs.2,00,000/-

as marriage expenses and also gave gold ornaments to the 1<sup>st</sup> petitioner and Rs.40,000/- towards cloths and to perform the marriage in grand manner. It is further submits that on the instigation of the parents of petitioner No.1, petitioner No.1 started to quarrel with the respondent and his family and demanded the respondent to make separate residence for petitioner No.1. On the love and affection the respondent has made separate house at Kadur Town by spending Rs.3,00,000/- then the petitioner No.1 has to go to her parents house often and often and staying there for months together and the 1<sup>st</sup> petitioner has left the house of the respondent and started to reside with their parents. After two months petitioner No.1 again came to the house of the respondent and stayed for two months. Thereafter petitioner No.1 started to continue her previous attitude on the instigation of her parents.

**4.** It is further submits that the petitioner No.1 quarreled with the respondent and his family and she is not ready to continue the marital relationship with respondent and petitioner No.1 is also ready for divorce with respondent. After marriage the petitioner No.1 has failed to discharge her duties, hence the respondent has filed OS No.581/2024 on the file of the 1<sup>st</sup> Addl. Civil Judge at Kadur against the 1<sup>st</sup> petitioner. After filing of the said suit the petitioner No.1 has come up with this false allegation, hence prays to reject the application.

**5.** On basis of the above contentions, the following points do arise for consideration:

- 1. Whether the petitioners have made out sufficient grounds to grant her Rs.20,000/- per month as interim maintenance?**

## **2. What order?**

**6.** Heard both side and also perused the entire materials on record. Now, this Court answers the above points as follows:

Point No.1: **In Partly Affirmative**

Point No.2: **As per final order  
for the following:**

### **REASONS**

**7. Point No.1:** This is a case filed by the petitioners by seeking monitory relief from the respondent. There is no dispute between the parties with respect to their relationship. Now the petitioner No.1 and 2 contends that they are residing separately from the respondent and respondent is not providing any basic necessity and the respondent and his family is completely neglecting the petitioners. The petitioners is not having any source of income to lead their life and to meet their basic necessity and currently they are residing at the parental house of the petitioner No.1. In support of her contention petitioner No.1 has also produced marriage invitation card, photograph and the bank statement of the petitioner No.1.

**8.** There is no doubt that the petitioner No.1 is the wife of the respondent and petitioner No.2 is the child born out of the wed lock between petitioner No.1 and the respondent and they were resided together. Admittedly the petitioners are reading separately and there are no materials available at this stage to consider whether the respondent is providing basic necessities to the petitioners or that the petitioners are having sufficient income to look after themselves. The petitioners have submitted that they are facing difficulty to lead their life as the respondent has neglected to maintain them and they are not having sufficient

income to meet their daily necessities. Thus, Considering these aspects, this Court considers it fit to grant the petitioners with interim maintenance at Rs.2,000/- each per month. Accordingly point No.1 is answered **partly in affirmative.**

**9. Point No.2:** In view of the reasons recorded on above point No.1, this Court proceeds to pass the following:

**ORDER**

**Application filed by the Petitioners under Section 144(2) of BNSS, is allowed in part.**

**The Respondent is directed to pay a sum of Rs.4,000/- per month to the Petitioners as interim maintenance.**

**For Petitioner evidence by: 07.03.2026.**

**SD/-  
I ADDL. CIVIL JUDGE & JMFC.,  
MUDIGERE.**