

ORDER ON APPLICATION

Advocate for petitioner has filed this application by seeking permission to create charge of maintenance over the property of respondent. In application, advocate for petitioner has contended that after maintenance order, with an intention to deprive the right of petitioner, purposely, respondent has transferred land Sy.No.480/3 of Haralakatti village in favor of his son.

Respondent and his son have an intention to prepare NA layout in said land and alienate in favor of others. If respondent transfers the said property, it will cause much hardship to petitioner. Hence, prayed to allow the application.

Advocate for respondent has filed objections by contending that petitioner has not made out good grounds to allow the application and also not produced necessary documents in support of application. Hence, prayed to dismiss the application.

Both side counsels have submitted to take arguments as heard. Perused the records. Petitioner has filed this petition for recovery of arrears of maintenance from respondent as per order passed by this Court in Crl.Misc No.107/2022 on 04-07-2025. In support of application, advocate for petitioner has produced RTC and mutation entry. RTC of land Sy.No.480/3 measuring 02 acre 18 guntas of Haralakatti village of Munavalli hobli, Savadatti taluk of the year 2021-22 shows the name of respondent as absolute khata holder. Mutation entry MR No.H8/2025-26 dt:22-08-2025 of Haralakatti village shows that by virtue of Gift deed of respondent, the name of his son by name Prashantagouda was entered to 17 guntas of said property as absolute khata holder. RTC of Sy.No.480/3 measuring 17 guntas of Haralakatti village of the year 2025-26 shows the name of said Prashantagouda as absolute khata holder. As maintenance petition was allowed on 04-07-2025, hence it is clear that at the time of said order, said property was in the name of respondent himself and after said order, respondent has transferred the same in favor

of his son. The conduct of respondent supports the allegations of petitioner.

Now, said property is in the name of Prashantagouda but at the time of order in maintenance petition, said property was in the name of respondent only. Hence, petitioner is entitled to create charge over the land Sy.No.480/3 measuring 17 guntas of Haralakatti village of Munavalli hobli, Savadatti taluk, till further order. Otherwise, it will cause much hardship to petitioner. Satisfied with reasons and materials on record. Hence, proceed to pass following;

ORDER

Application filed by advocate for petitioner is allowed.

Petitioner is permitted to create charge of maintenance over land Sy.No.480/3 measuring 17 guntas of Haralakatti village of Munavalli hobli, Savadatti taluk.

Petitioner and respondent are present.

Respondent has paid Rs.6000/- to petitioner.

For further steps and payment.

Call on 15-12-2025

sd/-

C. J & JMFC., Nargund