

The petitioners alongwith petition moved IA No.1 U/s 144(1)(A and B) of BNSS, 2023 seeking ad-interim maintenance to the petitioners for Rs.5,000/- each from the respondent till disposal of the present petition.

In the affidavit it is contended that, the petitioner No.4 and respondent are husband and wife and their marriage solemnized on 01-05-2011 at English Urdu High School ground, Ranebennur. As per demand made by the respondent the parents of petitioner No.4 given huge amount and also gold ornaments. After the marriage the petitioner No.4 join the matrimonial home. There the respondents given mental and physical torture.

Out of the marriage the petitioner No.4 gave birth to petitioner Nos.1 to 3. The expenditure of petitioner No.1 to 3 for deliver and other expenses borne by the parents of the petitioners. The respondent and his brother and sisters and also his parents given mental and

physical torture to the petitioner No.4 for demanding dowry and gold ornaments from the parents of the petitioner No.4. The respondent gave threat to the petitioner No.4 that, he will get 2nd marriage by giving divorce to the petitioner No.4. Thereafter, the respondent and his family members have driven out the petitioners from the matrimonial home and denied provide maintenance to the petitioners.

The petitioners further averred in the affidavit that, though the parents and elderly persons made a negotiation to the respondent but, he did not give respect to them. The respondent is working in garage and per day earn Rs.10,000/-. On the other hand, the petitioners are not having any source of income and struggling for leading life without any maintenance from the respondent. The petitioner No.1 to 3 are studying in school but, due to non payment of school fee the concerned officials have directed to not to send the kids unless make payment of school fee.

The petitioner No.4 also obtain some

loan from the private persons and they are also demanding to pay the said amount. Under these grounds, the petitioners are not able to maintain themselves. Hence, prays to allow the interim application and grant the interim maintenance to the petitioners.

Heard from the petitioners side.

Perused the marriage invitation card and birth certificate of petitioner Nos.1 to 3 and adhar cards of the parties and also the adhar card of respondent.

The documents produced by the petitioner which prima facie discloses that, the relationship between the parties.

According to the petitioners the respondent working in garage and per day he earns Rs.10,000/- and the respondent having sufficient means of income to pay maintenance to the petitioners.

The petitioners have not produce any iota of documents before the Court ion

order to substantiate that, the respondent per day earning Rs.10,000/- but, the petition is premature and the Court can consider the pleading of the parties.

The petitioner has also produced the medical documents of petitioner No.1 regarding he suffering decease of Asthma and for the medical assistance of the said petitioner No.1 the petitioner No.4 requires interim maintenance.

The petitioner has also produced assets and liabilities stating that, the respondent having sufficient means of income to pay the interim maintenance.

Considering the documents placed before the Court and also go through the necessity of petitioners for their maintenance. Hence, at this stage it is necessary to pass order for interim maintenance to the petitioners.

Considering the present standard of life and the utensils are hike compared to earlier days. Therefore, considering the income of the respondent if

Rs.1,500/- interim maintenance to the petitioner No.4 and Rs.500/- each to the petitioner Nos.1 to 3. Therefore in total Rs.3,000/- interim maintenance awarded to the petitioner. Accordingly, I proceed to pass the following order.

The interim application filed by the petitioners is hereby partly allowed.

The petitioner Nos.1 to 3 are entitled for interim maintenance of Rs.500/- each and petitioner No.4 entitled for interim maintenance of Rs.1,500/- per month.

The interim maintenance is awarded from the date of petition.

Issue notice to the respondent.

Call on 02-08-2025

**2nd Addl. Sr.C.J. & JMFC
Ranebennur.**