

### **ORDER ON I.A.-1**

IA – 1 is filed by the petitioners by praying interim monthly maintenance of Rs.20,000/- from the respondent for their basic needs i.e., food, cloths, shelter and to pay medical expenses during the pendency of the petition. It is stated in the affidavit that, petitioner No.1 is the legally wedded wife of Respondent. Her marriage with respondent was solemnized on 26.01.2023 at Sri Dharmasthala temple, Dhakshina Kannada District, as per the rites and customs of the Hindu Laws. At the time of marriage, the petitioner's father had given Rs.20,000/- to the respondent for the purchase of clothes and also performed the marriage by incurring all the expenses. After the marriage, the petitioner No.1 and respondent led life in a rented house at Bogadhi, Mysuru for about 2 months and thereafter stayed in their new house at Dattagalli, Mysuru. The said house was four-floor house, and three portions were given for rent. The respondent belongs to a rich family and he is a businessman doing clothing business. There is a 22 years age gap between the petitioner No.1 and the respondent. The respondent was already married and divorced. After few months, the respondent started to ill treat the petitioner No.1 by listening the words of his

mother and sister by suspecting her character. The respondent harassing the petitioner demanding for dowry. That on 02.11.2023 the petitioner No.1 delivered the petitioner No.2 at Govt. Hospital, Saraguru. Then the respondent had sold his house for Rs.2 crore 35 lakhs and purchased a new site and again constructed new house. Even at the opening of the said house the respondent and his family members made galata with petitioner and at about 10 p.m., sent her out of the house along with her son by snatching all her jewels. The petitioner No.1 had filed complaint at Saraguru P.S., then respondent took the petitioner No.1 to his house by promising to take care of her. But again started to make quarrel and abused her in filthy language. On 05.06.2025 at 8.30 to 9 p.m., the respondent made galata and by forcibly made her to drink something by colluding with his family members. Then the petitioner No.1 called the police through Emergency No.112, her brother came and took her to the hospital. The petitioner No.1 filed complaint before Women PS. The petitioner has no other way to come to live in her parents house. The respondent was not providing the food cloth, medicine etc., daily basic amenities.

**2.** It is further submitted that, she is unable to earn her livelihood and to look after her 2 year old son. The respondent failed to provide the basic amenities to her. The respondent is doing clothing business and earning yearly Rs.2,00,000/- as income from his business as well as rent from the houses. Now the respondent is quite capable to pay monthly maintenance of Rs.20,000/-to the petitioners. The maintenance is necessary to maintain the basic needs for the petitioners. Hence, She prayed for monthly interim maintenance.

**3.** Heard on IA-I. As per the prayer of petitioner, she requires amount for the food, cloths, shelter and medical expenses of herself and her son. She pleaded her inability i.e., economically, physically and mentally. The Respondent has driven out her. The Advocate for petitioner has not filed the documents pertaining to the respondent income through which he earns income.

**4.** At this time, on perusal of available materials on the record, I am of the opinion that the petitioners have shown the prima facie case to grant interim maintenance for their livelihood and other expenses till disposal of the main petition. The petitioner has

produced sufficient documents to say the income of the respondent as stated in the application as well as in the petition, it is shown that the respondent is having income from business and house rent. In my opinion it is necessary to grant the interim maintenance to meet the needy purpose. Then only the purpose of application will be served if the interim maintenance of Rs.5,000/- is awarded to the petitioners. Hence, at this time, I am of the opinion that it is proper and necessary to award interim maintenance to petitioners from the Respondent of an amount of Rs.5,000/-. Hence, I Pass the following.

**ORDER**

IA-I filed by the petitioner is partly allowed.

Respondent is directed to pay interim maintenance of Rs.5,000/- p.m to the petitioner from the date of petition till further order.

The respondent is also directed to pay an amount of Rs.1,000/- towards expenses of this petition.

For petitioner evidence.

**Addl.Civil Judge & JMFC,  
Heggadadevanakote.**