

ORDER

This is an application filed by the petitioner to grant interim maintenance of Rs. 10,000/- p.m. to her till disposal of the case.

2. The petitioner in the application has stated that respondent is her husband. The marriage of petitioner and respondent was solemnized on 9.05.2021 at Vaddarapalya village, Kasaba Hobli, Sira Tauk in the presence of parents of petitioner and respondent.

3. After the marriage, they were lived together happily for few days. Thereafter the respondent started to harras the petitioner mentally and physically. He also demanded for dowry. He used to blame in the filthy language and also assault her. Finally, he forcibly thrown the petitioner from his house. Now the petitioner is 7 month pregnant . Though the elders of village advised to respondent, but he did not change his attitude.

4. The respondent neglected the petitioner. Now the petitioner is residing with her parents. Respondent is doing quarry business and getting Rs. 1,00,000/- per month. Apart from this he had landed property and from agriculture also he is getting sufficient income. As such he is capable to pay maintenance to the petitioner. Though he is having sufficient means to pay maintenance to the petitioner, he has neglected to maintain her. The petitioner has no source of income. On all these grounds, prays to allow the I.A.

5. In support of her case, petitioner has produced marriage invitation card, photos, .

6. Heard and perused the records.

7. The points that arise for my consideration are;

1. Whether the petitioner has made out grounds to allow the I.A.?
2. What Order?

8. My answer to the above points are as under;

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

Point No.2: **As per Final Order**

For the following;

REASONS

9. Point No.1: On going through the petition averments and the application, it reveals that petitioner is the legally wedded wife of the respondent.

10. On perusal of record, it is noticed that respondent is the husband of petitioner . Petitioner has no source of income to lead her life. The Petitioner has stated in the application that, the respondent is doing quarry business and he is an agriculturist and also doing business and getting sufficient income. As such he is capable to pay maintainance to the petitioner. To show the relationship she has produced photos, and marriage invitation card. In the affidavit also petitioner clearly stated that she has no source of income to maintain herself. Though petitioner has not placed any documents to show the exact income of the respondent, he being the husband of the petitioner, it is his duty to maintain his wife. As stated above, petitioner is pregnant and she has no source of

income. Without the assistance of respondent, she cannot lead her life. Hence, at this stage, it is just and proper to grant interim maintenance of Rs. 5,000/- p.m. to petitioner till disposal of I.A. on merits. This appears to be just, appropriate and reasonable. Hence, I answer point No.1 in **Partly Affirmative.**

11. Point No.2: For the reasons stated above, I proceed to pass the following;

ORDER

The Interim Application filed by the petitioner is hereby partly allowed.

The Respondent is directed to pay interim maintenance of Rs. 5,000/- p.m. to petitioner till disposal of I.A. on merits.

Issue notice to the respondent through RPAD returnable by 9.03.2022

(Directly dictated to the stenographer on computer, computerized and printout taken by her, then corrected and pronounced by me in the open court on **22.02.2022**)

**Prl. Civil Judge & JMFC.,
Sira**

