



**IN THE COURT OF THE PRL CIVIL JUDGE AND JMFC.,
HONNAVAR.**

-.PRESENT:-

**SRI. IRANNA HUNASHIKATTI.,
B.Com., L.L.B.,
C/c Prl. Civil Judge and JMFC.,
Honnavar.**

CrI. Misc. No. 44/2025.

Dated: This the 22nd day of February 2025.

**Petitioner/s : Smt. Akshata W/o Lokesh Mesta
& Others.**

//Vs//

Respondent : Sri. Lokesh S/o Nagesh Mesta.

ORDER ON INTERIM MAINTENANCE APPLICATION

The petitioners have filed this petition U/Sec. 144 of BNSS., seeking maintenance from the respondent. In this petition, the petitioners have also filed interim application with a prayer to grant exparte interim maintenance of Rs.25,000/- per month to them from the respondent till final disposal of the main petition.

2. The gist of the application is as under:-

In support of the application the petitioner No.1 filed affidavit stating that, she is the legally wedded wife of respondent. Further stated that, their marriage was solemnized on 15-12-2022 at Sri. Ganesh Kalyana Mantapa, Shri. Moodganapati Temple, Prabhath Nagar, Honnavar

Taluk as per rites and customs in Hindu. After the marriage they lived happily for some days and from the said wedlock, the petitioner No. 2 is born.

3. Thereafter, the respondent had started mental and physical harassment to the petitioner No.1. The respondent without any reasonable cause neglected to maintain the petitioners. Upon these grounds it is prayed to grant *ex parte* interim maintenance of Rs.25,000/- per month as maintenance.

4. I have heard the argument and perused the materials on record.

5. Section 144 of BNSS, provides for maintenance of wives, children and parents, where any person having sufficient means neglects or refuses to maintain his wife unable to maintain herself. Further section 144 of BNSS is a measure of social justice and specially enacted to protect woman and children. The object of section 144 of BNSS, is to prevent destitution and vagrancy of wife and children.

6. It is the case of the petitioners that, petitioner No.1 has been physically and mentally tortured by the respondent. The respondent has neglected to maintain the petitioners without any justifiable reasons. The petitioners are unable to maintain themselves and the respondent has not made any financial arrangement for the maintenance of petitioners.

7. In support of her application the petitioner No.1 has produced marriage invitation card, marriage photo, marriage registration certificate, copy of birth certificate of the petitioner No.2 and copy of aadhar card of the petitioner No.1 and 2 and RTC.

8. In this case the petitioners have produced the document to show that the respondent is the husband of petitioner No.1. The petitioners have shown prima-facie material to accept the contention that, the respondent has neglected to maintain the petitioners. The filing of petition before this Court which itself shows that, the respondent has not paid any maintenance amount to the petitioners. It is the bounden duty of respondent to maintain the petitioners. However, in this case the petitioners have claimed Rs. 25,000/- as interim maintenance amount from respondent. At this stage, this court is opined that petitioners are entitled interim maintenance of Rs.5,000/- from the respondent. Therefore, the petitioners have shown sufficient material at this stage to pass an interim order. In view of that, I proceed to pass the following:-

ORDER

The interim application filed by the petitioners U/Sec. 144 of B.N.S.S., is hereby allowed in part.

The respondent shall pay interim maintenance of Rs. 5,000/- per month to petitioners from the date of application to till the disposal of the petition.

Issue notice of ex-parte interim maintenance order and notice of main petition to respondent if PF paid.

(Typed by me in my laptop, corrected and signed by me and then pronounced in the open Court on this **22nd day of February, 2025**).

(IRANNA HUNASHIKATTI)
C/c Prl. Civil Judge & J.M.F.C.,
Honnavar.
