



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

-.PRESENT:-

SRI. IRANNA HUNASHIKATTI.,

B.Com., L.L.B.,
Addl. Civil Judge and JMFC.,
Honnavar.

Crl. Misc. No. 358/2024.

Dated: This the 6th day of August, 2024.

**Petitioner : Smt. Radhika W/o Naveen shetty &
Others.**

//Vs//

Respondent : Sri. Naveen S/o Chandrashekar shetty.

ORDER ON INTERIM MAINTENANCE APPLICATION

The petitioners have filed this petition U/s 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 27-11-2015 at Idagunji Mangalmurthy

marriage hall, idagunji. After the marriage they lived happily for some days and from the said wedlock, the petitioner No. 2 & 3 are born.

3. Thereafter , the respondent had started mental and physical harassment to the petitioner No.1 and he has also demanded dowry from the petitioner No.1. Therefore, the petitioner No.1 went to her mother's house along with the petitioner No. 2 & 3. The respondent without any reasonable cause neglected to maintain the petitioners. Upon these grounds it is prayed to grant exparte 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 registration copy, order sheet copy of Crl. Misc 161/2017, notice, marriage invitation card & xerox copy of her aadhar card. But the petitioners did not produce any documents to show the income of the respondent.

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. But in this case the petitioner has claimed Rs.25,000/- as interim maintenance amount from respondent. But in order to show the income of respondent the petitioners have not produced any document before this Court. 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 respondent shall pay interim maintenance of Rs.6,500/- 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 **6th day of August, 2024**).

(IRANNA HUNASHIKATTI)
Addl. Civil Judge & J.M.F.C.,
Honnavar.