

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL REVISION APPLICATION (FOR MAINTENANCE) NO. 1349
of 2026**

=====

AARIFBHAI ISMAILBHAI RADHANPURI

Versus

STATE OF GUJARAT & ANR.

=====

Appearance:

MR.WASIM M PATHAN(6802) for the Applicant(s) No. 1

MR PRANAV DHAGAT APP for the Respondent(s) No. 1

=====

CORAM:**HONOURABLE MS. JUSTICE GITA GOPI****Date : 05/05/2026****ORDER**

1. The applicant as a father aged about 55 years has made a prayer for maintenance against his son aged about 28 years before the Family Court No.8, Ahmedabad, whereby his application being Criminal Misc. Application No.89 of 2025 came to be rejected. Aggrieved by the order, the present revision application has been filed.

2. The Family Court has noted about the marriage of the present applicant with the mother of the respondent No.2 in the year 1995 as per the Muslim Shariat Law and out of the said matrimonial life, they have one son i.e. the respondent No.2 and a daughter. In the year 2001 due to the dispute, they had started residing separately and the mother had filed Criminal Misc. Application No.160 of 2007 under Domestic Violence Act before the Judicial Magistrate, First Class, Dholka and an order was passed on 05.10.2024 for the maintenance and for the rent amount. The present applicant, therefore was ordered to pay the maintenance amount and the

rent amount to the mother of the respondent.

3. As per the respondent son, the father had given divorce to his mother and has remarried and from that marriage, he is having one daughter. He is having his own business on commission basis from the sale of clothes. It is also recorded in the judgment that in order to avoid the payment of maintenance amount, he has transferred his property. As per the observation of the Family Court Judge, it was the mother, who had taken care of the respondent son and had also undertook the huge medical expense, and the petition for maintenance amount from the son has been filed to scuttle the proceedings of the mother under the Domestic Violence Act.

4. This Court does not find any reason to entertain the application, having noticed that the learned Judge of the Family Court has dealt with all the disputes and has rightly analysed the evidence on record. The father is able body and earning sufficient enough and is also maintaining his second family.

5. Thus, this Court has not found any cause for the father to ask for any maintenance amount from the son. There is no reason to entertain the application, hence the present application stands **rejected**.

(GITA GOPI,J)

Pankaj/9