

Pushpa Vs. Devendrappa

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Court : Karnataka

Decided On : Nov-06-1987

Reported in : ILR1988KAR1346

Judge : Chandrakantaraj Urs., J.

Acts : [Code of Civil Procedure \(CPC\) , 1908](#) - Sections 115

Appeal No. : C.R.P. No. 4757 of 1987

Appellant : Pushpa

Respondent : Devendrappa

Advocate for Pet/Ap. : V. Tarakaram, Adv.

Disposition : Revision petition rejected

Judgement :

ORDER

Chandrakantaraj Urs., J.

1. The revision petition is directed against the order made by the learned Civil judge at Davangere in M.C.No. 20/1986. The order under revision is made on I.A. No. 2. It was for payment of maintenance during the pendency of the proceedings in the Court. The proceedings were initiated by the husband - M. Devendrappa

seeking divorce on such grounds as are available to him.

2. The grievance of the applicant-revision petitioner is confined to the quantum of pendente lite maintenance awarded by the Court. She had claimed Rs. 1500/- having regard to number of commitments including the fact that she is a medical student at Belgaum. The learned Judge after carefully analysing the material placed before him has come to the conclusion that Rs.500/- per mensem would be adequate maintenance pendente lite and therefore has directed that amount to be paid by the husband. He has also directed a sum of Rs.2000/- to be paid by way of costs of the proceedings.

3. The Court exercising revisional jurisdiction has to interfere only if there is gross injustice done by the impugned order or when the discretion is not properly exercised having regard to the material placed before the Court or when it is capricious. On the facts of the present case, the learned Judge has taken notice of the fact that the father of the revision petitioner-respondent is fairly well-off and during the pendency of the case before the trial Court he is in a position to provide some assistance to her.

4. I, therefore, do not think there has been any improper exercise or failure to exercise jurisdiction vested in the trial Court. The revision petition is therefore rejected. The trial Court will do its utmost to expeditiously dispose of the main matter itself.

5. Order accordingly.