



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 14TH DAY OF OCTOBER, 2025

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO. 12155 OF 2023 (GM-FC)

BETWEEN:

SRI. KIRAN KUMAR .P.,
S/O. D. PRAKASH,
AGED ABOUT 41 YEARS,
PRESENTLY RESIDING AT NO.47/A, I FLOOR,
3RD CROSS, VINAYAKANAGARA,
ANNASANDRAPALYA,
VIMANAPURA POST,
BENGALURU-560 017.

...PETITIONER

(BY SRI. MADHUKAR M. DESHPANDE, ADVOCATE)

AND:

1. MRS. DAINA D. TIGALANNARAVAR,
W/O. KIRAN KUMAR .P.,
AGED ABOUT 37 YEARS,
RESIDING AT A2G ENCLAVE,
APARTMENT NO.004, GROUND FLOOR,
3RD MAIN, 5TH CROSS, L.B. SHASTRI NAGAR,
OPPOSITE KRISHNA PRIME APARTMENT,
VIMANAPURAM, BENGALURU NORTH,
BENGALURU-560 017.
2. KUM. K. JERUSHA SAHANA,
D/O. KIRAN KUMAR. P.,
AGED ABOUT 12 YEARS,
RESIDING AT A2G ENCLAVE,
APARTMENT NO.004, GROUND FLOOR,
3RD MAIN, 5TH CROSS,



L. B. SHASTRI NAGAR,
OPPOSITE KRISHNA PRIME APARTMENT,
VIMANAPURA, BENGALURU NORTH,
BENGALURU-560 017.
REPRESENTED BY HER MOTHER
AS A NATURAL GURDIAN NAMELY
MRS. DAINA. D, TIGALANNARAVAR.

3. KUM. K. JELISSA SRUSHAT,
D/O. KIRAN KUMAR .P.,
AGED ABOUT 12 YEARS,
R/A A2G ENCLAVE,
APARTMENT NO.004, GROUND FLOOR,
3RD MAIN, 5TH CROSS,
L. B. SHASTRI NAGAR,
OPPOSITE KRISHNA PRIME APARTMENT,
VIMANAPURA, BENGALURU NORTH,
BENGALURU-560017.
REPRESENTED BY HER MOTHER
AS A NATURAL GURDIAN NAMELY
MRS. DAINA D. TIGALANNARAVAR.

...RESPONDENTS

(BY SRI. NAGABHUSHANA H.K., ADVOCATE)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE
CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER DATED
25/07/2022 PASSED IN CRIMINAL MISCELLANEOUS NO 511/2022 BY
THE HONBLE I ADDITIONAL PRINCIPAL JUDGE, FAMILY COURT,
BANGALORE ANNEXURE-A AND ETC.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER
WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE SMT. JUSTICE LALITHA KANNEGANTI



ORAL ORDER

Aggrieved by the order passed in I.A.No.2 in Crl.Misc. No.511/2022 dated 25.07.2022 by the I Addl. Principal Judge, Family Court, Bengaluru whereby the Family Court had granted interim maintenance of an amount of Rs.15,000/- to the wife and two children on or before 5th of every succeeding month from the date of the order until further orders, the husband is before this Court.

2. The parties are referred to as husband and wife for the sake of convenience.

3. Learned counsel appearing for the petitioner/ husband submits that the wife is earning an amount of Rs.25,000/- per month which is accepted by her and this aspect was not considered by the Family Court. When the wife is earning and gainfully employed, she is not entitled for any maintenance from the husband. It is submitted that the amount of maintenance that is granted by the Family Court to the children is also on the higher side.

4. Learned counsel appearing for respondent No.1/ wife submits that as per the statement of assets and liabilities



filed, the income of the husband is Rs.1,00,000/- and odd. It is submitted that when the husband is earning an amount of Rs.1,00,000/- per month, the Family Court had granted an amount of Rs.15,000/- per month which is on the lower side. It is further submitted that the wife is now unemployed. It is submitted the interim order passed by the Co-ordinate Bench of this Court is also not complied with. Hence, the interim order needs to be vacated.

5. Having heard the learned counsels on either side, perused the material on record. The order impugned is passed by the Family Court on 25.07.2022. By that time, the judgment of the Hon'ble Apex Court in ***Rajnish Vs. Neha***¹ is **holding the plea**. Absolutely in the entire impugned order there is no discussion about the statement of assets and liabilities and also about the particulars furnished therein. When the wife is earning an amount of Rs.25,000/- per month as on the date, the Family Court has not even discussed about how she is entitled for the maintenance. Then coming to the contention of the husband that even considering the maintenance to the children of an amount of Rs.10,000/- per month, how the

¹ (2021) 2 SCC 324



husband is aggrieved by the said order this Court is not able to understand. Considering all these facts, this Court is passing the following:

ORDER

- i. The impugned order passed in I.A.No.2 in Crl.Misc.No.511/2022 dated 25.07.2022 by the I Addl. Principal Judge, Family Court, Bengaluru is ***modified***.
- ii. As far as the maintenance of an amount of Rs.15,000/- per month that is granted by the Family Court to the mother and two children is concerned, the mother is not entitled for any maintenance, but both the children are entitled for maintenance of an amount of Rs.15,000/- per month (i.e., Rs.7,500/- each).
- iii. Accordingly, the writ petition is ***disposed of***.
- iv. All I.As., in the writ petition shall stand closed.

SD/-
(LALITHA KANNEGANTI)
JUDGE