

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

[SURESH MOOLYA VS. SRI MALATHI AND ANOTHER]

25.02.2026

(VIDEO CONFERENCING / PHYSICAL HEARING)

CORAM: HON'BLE MR. JUSTICE JAYANT BANERJI
and
HON'BLE MR. JUSTICE T.M.NADAF

ORAL ORDER

(PER: HON'BLE MR. JUSTICE JAYANT BANERJI)

When the case was listed on 28.03.2025, the following order was passed.

"Issue notice to the respondents.

Interim stay of the execution of the impugned decree so far it relates to permanent alimony subject to the appellant depositing the litigation expenses of Rs.20,000/- and 50% of the alimony awarded by the Trial Court before this Court within four weeks from the date of this order.

List on 18.06.2025."

The office has reported that the advocate for the appellant has deposited Rs.2,00,000/- only and the remaining amount has not been deposited.

ORAL ORDER ON I.A.No.1/2025

I.A.No.1/2025 is filed on behalf of the appellant on 03.06.2025 seeking two months time to deposit the balance amount. The time sought for has also expired. Accordingly, the I.A.No.1/2025 is rejected.

ORAL ORDER ON I.A.No.2/2025

I.A.No.2/2025 is filed for release of the amount, pursuant to the order dated 28.03.2025 in favour of the respondent No.1 with a direction to the Registry to transfer the deposited amount in favour of the respondent No.1.

In the affidavit filed in support of the I.A., it is stated that the wife was awarded a sum of Rs.7,50,000/- as permanent alimony and that she is unemployed and entirely depending on her parents for her livelihood and does not have any source of income. A minor daughter is studying in the Second standard in a school. It is further stated that the applicant is in desperate need of money for maintaining herself and her minor daughter.

No statement of objections has been filed to the aforesaid I.A., despite, it having been served on the counsel for the appellant on 20.09.2025. The fact of service of the I.A. is not

disputed by learned counsel for the appellant. We therefore, direct that the amount of Rs.2,00,000/- deposited by the appellant shall be released in favour of respondent No.1 by the Registry as per Rules.

As far as the interim order of 28.03.2025 is concerned, we note that it is a conditional order which has not been complied with by the appellant.

List the appeal for hearing in due course.

(JAYANT BANERJI)
JUDGE

(T.M.NADAF)
JUDGE

GH
List No.: 1 Sl No.: 36