



IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 5TH DAY OF NOVEMBER, 2024
BEFORE
THE HON'BLE MR JUSTICE K.NATARAJAN
REGULAR FIRST APPEAL NO. 2385 OF 2024

BETWEEN:

MRS. SUDHA MOHANARANGAN NEE KANAUJIYA
AGED ABOUT 34 YEARS,
D/O RAMESH,
W/O MOHANARANGAN,
R/O OLD BARRACK T S O, ROOM NO.19,
CHEMBUR COMP., R C MARG,
MUMBAI-400007

...APPELLANT

(BY SRI. UDAYA SHANKAR M., ADVOCATE)

AND:

MR. K. MOHANARANGAN
AGED ABOUT 49 YEARS,
R/O NO.409, SRI VARI ENCLAVE,
HORAMAVU PO., BANGALORE-560074.

...RESPONDENT

Digitally signed
by NANDINI D
Location: High
Court of
Karnataka

THIS RFA IS FILED UNDER SEC.96 R/W ORDER 41 RULE 1 OF CPC., AGAINST THE ORDER DATED 24.08.2022 PASSED IN MC NO. 5080/2019 ON THE FILE OF II ADDITIONAL PRL. JUDGE, FAMILY COURT, BENGALURU., PARTLY ALLOWING THE APPEAL FILED BY THE PETITIONER U/S. 11 R/W SEC. 5(i) AND 12(1)(b) R/W SEC. 5(ii) OF THE HINDU MARRIAGE ACT 1955.

THIS APPEAL, COMING ON FOR ORDERS, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR JUSTICE K.NATARAJAN



ORAL JUDGMENT

Office has raised an objection regarding maintainability of the appeal under Section 96 of the CPC.

2. The learned counsel for the appellant submits that previously the appellant had filed a review petition before the High Court and the same was numbered as RPFC No.170/2024. Thereafter, the review petition was withdrawn with liberty to file the appeal under Section 19(4) of the Family Court Act. But the learned counsel filed this Regular First Appeal which is not maintainable.

3. In view of the above, at this stage learned counsel is permitted to convert this appeal filed under Section 96 of CPC into an appeal under Section 19(4) of the Family Court Act.

4. For the statistical purposes this appeal is disposed of.

5. Office to assign new number and post before the appropriate Bench.

**Sd/-
(K.NATARAJAN)
JUDGE**

CHS
List No.: 1 Sl No.: 16