

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

[SRI V JAYARAMU VS. SMT LATHA RANI]

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)

Heard learned counsel for the appellant.

This appeal has been filed seeking to challenge the judgment and decree dated 11.09.2025 passed by the Senior Civil Judge and J.M.F.C., at Arsikere in M.C.No.50/2017 connected with M.C.No.2/2023. M.C.No.50/2017 was filed seeking dissolution of the marriage between the parties under Section 13(1)(1a)(ii) of the Hindu Marriage Act, 1955. M.C.No.2/2023 was filed by the wife for restitution of conjugal rights. The petition for divorce was allowed and the petition for restitution of conjugal rights was dismissed.

However, as contented by learned counsel for the appellant, without there being any application moved by the wife under the provision of Section 25 of the Hindu Marriage

Act, 1955, permanent alimony of Rs.2,00,000/- has been granted to the wife, which has been directed to be paid within three months. This appeal has been filed challenging the decree only to the extent that permanent alimony of Rs.2,00,000/- has been awarded.

It is the contention of learned counsel for the appellant that in proceedings under Section 125 of the Code of Criminal Procedure, 1973, the maintenance has been awarded and the appellant is paying Rs.5,000/- per month to the respondent. It is stated that since there was no application for permanent alimony filed before the Trial Court, the appellant had no occasion or reason to file evidence regarding the order of maintenance passed by the Magistrate concerned.

The matter requires consideration.

Admit.

Issue notice.

Steps shall be taken within one week, failing which the appeal shall stand dismissed without further reference to this Court.

Secure the Trial Court records.

Pending consideration of I.A.No.1/2025, there shall be an interim stay of the decree insofar as permanent alimony is concerned.

This stay shall operate only if the amount of maintenance is being regularly paid by the appellant.

**(JAYANT BANERJI)**  
**JUDGE**

**(T.M.NADAF)**  
**JUDGE**

GH  
List No.: 1 Sl No.: 16