



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 13TH DAY OF NOVEMBER, 2025

PRESENT

THE HON'BLE MR. JUSTICE S G PANDIT

AND

THE HON'BLE MRS JUSTICE GEETHA K.B.

MISCELLANEOUS FIRST APPEAL NO. 100746 OF 2023 (FC)

C/W

MISCELLANEOUS FIRST APPEAL NO. 101352 OF 2023 (FC)

IN MFA NO. 100746/2023:
BETWEEN:

MRS. TEJASHWINI W/O. MR. T. SUMUKHA
AGE. 32 YEARS, OCC. HOUSEWIFE,
R/AT NO.206, SUVIDHA APARTMENT,
2ND FLOOR, SUVIDHA HOMES WARD EXTN.
KESHWAPUR HUBBALLI, DIST. DHARWAD-580023.

...APPELLANT

(BY SRI. S.S. NIRANJAN, ADVOCATE)

AND:

MR. T. SUMUKHA S/O. S.G.T. NAIK
AND L. GOMATHI DEVI,
AGE. 36 YEARS,
OCC. DEPUTY CHIEF MANAGER (FINANCE)
IN NLC INDIA LIMITED,
R/AT NO.17, 9TH MAIN ROAD, SHANKARANAGAR,
MAHALAKSHMI LAYOUT, BENGALURU-560086.

...RESPONDENT

(BY SRI. S.B. MUTTALLI, ADVOCATE)

THIS MFA IS FILED UNDER SEC.19(1) OF THE FAMILY COURT ACT, AGAINST THE JUDGMENT AND DECREE DATED 14.02.2023, PASSED IN MATRIMONIAL CASE NO.89/2019 ON THE FILE OF THE PRINCIPAL JUDGE FAMILY COURT HUBBALLI ALLOWING THE PETITION FILED U/SEC. 13(1)(ia) OF THE HINDU MARRIAGE ACT, 1955 & ETC.



IN MFA NO. 101352/2023:
BETWEEN:

MRS. TEJASHWINI W/O. MR. T. SUMUKHA
AGE. 33 YEARS, OCC. HOUSEHOLD,
R/O. C/O. T. HANUMANTAPPA
NO.206, SUVIDHA HOMES APARTMENTS,
SUVIDHA COLONY, KESHWAPUR, HUBBALLI,
DIST. DHARWAD-580023.

...APPELLANT

(BY SRI. S.S. NIRANJAN, ADVOCATE)

AND:

MR. T. SUMUKHA
S/O. SMT. L. GOMATHI DEVI AND S.G.T. NAIK
AGE. 37 YEARS, OCC. MANAGER,
R/O. NO.17, 9TH MAIN ROAD, SHANKARANAGAR,
MAHALAKSHMI LAYOUT, BENGALURU-560086.

...RESPONDENT

(BY SRI. S.B. MUTTALLI, ADVOCATE)

THIS MFA IS FILED UNDER SEC.19(1) OF THE FAMILY COURT ACT, AGAINST THE JUDGMENT AND DECREE DATED 14.02.2023, PASSED IN MATRIMONIAL CASE NO.453/2021 ON THE FILE OF THE PRINCIPAL JUDGE FAMILY COURT HUBBALLI, DISMISSING THE PETITION FILED UNDER SEC.9 OF THE HINDU MARRIAGE ACT & ETC.

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

CORAM: THE HON'BLE MR. JUSTICE S G PANDIT

AND

THE HON'BLE MRS JUSTICE GEETHA K.B.



ORAL JUDGMENT

(PER: THE HON'BLE MR. JUSTICE S G PANDIT)

MFA No.100746/2023 is filed under Section 19(1) of the Family Court Act, 1984¹ questioning the judgment and decree dated 14.02.2023 passed in MC No.89/2019 on the file of learned Prl. Judge, Family Court, Hubballi, by which, the petition of the respondent/husband filed under Section 13(1)(i-a) of the Hindu Marriage Act, 1955² is allowed and marriage between the appellant and respondent solemnized on 30.11.2015 was dissolved by decree of divorce.

2. MFA No.101352/2023 is filed under Section 19(1) of the Act, 1984 questioning the judgment and decree dated 14.02.2023 passed in MC No.453/2021 on the file of learned Prl. Judge, Family Court, Hubballi, whereunder the appellant's petition under Section 9 of the Act, 1955 was dismissed.

3. In both appeals, learned counsel for the respondent/husband has filed a memo for disposal dated

¹ For short, Act, 1984'

² For short, 'Act, 1955'



23.07.2025 enclosing the order dated 13.06.2025 passed in
RPFC No.100089/2023 by this Court, whereunder,
paragraph-5 reads as follows:

"5. In furtherance, today affidavits of the Petitioner No.1 and the respondent are filed. The Petitioner No.1 and the respondent are physically present before this Court duly represented by their respective counsel. In the affidavits it is deposed that the Petitioner No.1 and the respondent and their respective parents have entered into compromise resolving their disputes and have agreed to stay together without any conditions, for their better future and for the future of their son Kumar Bhargav Tejas. Hence, seeks for disposal of the petition as withdrawn."

4. Both the learned counsel appearing for the parties would submit that both the appellant and respondent are residing together as wife and husband. In the memo for disposal also, learned counsel for the respondent has stated that in the light of settlement arrived at between the parties in the aforesaid RPFC, the appellant and respondent are residing together as wife and husband, since the date of order passed in the said RPFC i.e. 13.06.2024. As the appellant and respondent are residing together as wife and husband, they would pray for setting aside the judgment



dated 14.02.2023 passed in MC No.89/2019 on the file of learned Prl. Judge, Family Court, Hubballi.

5. We have gone through the appeal papers as well as memo for disposal filed by the respondent. The factum of the appellant and respondent residing together as wife and husband is not disputed by the learned counsel Sri.S.S. Niranjan for the appellant. As the appellant and respondent are residing together as wife and husband and in view of settlement arrived at between them, the following order:

ORDER

- a) Both appeals are disposed of.
- b) The impugned judgment and decree dated 14.02.2023 passed in MC No.89/2019 on the file of learned Prl. Judge, Family Court, Hubballi is hereby set-aside.

**Sd/-
(S G PANDIT)
JUDGE**

**Sd/-
(GEETHA K.B.)
JUDGE**