



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE DR. JUSTICE K.MANMADHA RAO

WRIT PETITION NO. 2838 OF 2025 (GM-FC)

BETWEEN:

SRI. DR. SUPREETH P
S/O DR. M. PARASHIVAMURTHY,
AGED ABOUT 42 YEARS,
R/A NO. 7293, 2ND PHASE,
4TH STAGE, VIJAYNAGAR,
MYSURU – 560 023.

...PETITIONER

(BY SMT. AISHWARYA R.,ADVOCATE)

AND:

SMT. DR. SHWETHA C,
W/O DR. SUPREETH P,
AGED ABOUT 40 YEARS,
R/A NO.852/1, 16TH MAIN ROAD,
D BLOCK, J.P. NAGAR,
BENGALURU - 560 013.

...RESPONDENT

(BY SRI. GEORGE LAZARUS R.,ADVOCATE)

THIS WP IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO SET ASIDE THE ORDER DATED 22.11.2024 ON I.A NO. III IN M.C NO.43/2024 PASSED BY THE HONBLE II ADDITIONAL PRINCIPAL JUDGE, FAMILY COURT, MYSURU (ANNEXURE -A) AND ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

Digitally signed by
VIJAYALAKSHMI
B N



Location: HIGH
COURT OF
KARNATAKA



CORAM: HON'BLE DR. JUSTICE K.MANMADHA RAO

ORAL ORDER

Being aggrieved by the order passed by the Court of II Additional Principal Judge, Family Court, Mysuru, in M.C.No.43/2024 dated 22.11.2024, the petitioner therein has filed this petition.

2. For the sake of convenience, parties to the proceedings will hereinafter be referred to as husband and wife.

3. Wife filed I.A.No.III under Section 24 of the Hindu Marriage Act seeking interim maintenance and the Family Court through the impugned order directed the husband to pay the wife a sum of Rs.20,000/- per month towards interim maintenance along with litigation expenses of Rs.40,000/-.

4. Learned counsel for the petitioner submitted that the Family Court without following the mandatory directions of the Hon'ble Apex court in the case of



Rajnesh vs. Neha has partly allowed the application and awarded interim maintenance of Rs.20,000/- without considering the affidavit disclosing the assets and liabilities of the respondent. He further submits that the wife is a Ph.D. holder and working as a Guest Lecturer at Government PU College, Hosakote, which fact is also admitted by the wife in her statement of objection at paragraph No.4. The Family Court has also erred in considering Ex.P.5 – Guest Faculty Counseling and Ex.P.6 – Photographs, where the respondent can be seen at Government First Grade College. He further submits that the Family Court without considering the salary of the husband has granted exorbitant maintenance amount of Rs.20,000/- to the wife. Learned counsel for the petitioner submitted that already, the matter is posted for judgment on 24.03.2026. Hence, prays for setting aside the impugned order.

5. *Per contra*, learned counsel for the wife submits that the husband has not produced any documents to



substantiate his false and frivolous allegations against the wife suffering from OCD, major Psychosis illness etc. He submits that husband was demanding for dowry and not provided the wife for livelihood. It is submitted that the husband is working as a Doctor at Nagamangala, Mandya District, having his own clinic and earning more than Rs.1,00,000/- p.m. The wife was working as a Guest Lecturer in Govt. First Grade College, Hoskote, but now she has been removed as there is no lecturer post and hence, she is not having any source of income and she is not in a position to meet the basic needs. Learned counsel for the wife states that husband is not paying the amount as ordered by the Court in earlier proceedings also. Hence taking into consideration the interests of wife, necessary orders may be passed.

6. On hearing the submissions of the learned counsel appearing for the parties, the impugned order dated 22.11.2024 is hereby set aside and the matter is remanded back to the Family Court for considering the



objections raised by both the parties with regard to the affidavits of assets and liabilities are concerned in view of the judgment of the Hon'ble Apex Court in the case of ***Rajnesh vs. Neha*** reported in ***(2021) 2 SCC 324***.

7. In view of the same, the matter is remitted back to the Family Court for fresh consideration with regard to affidavit of assets and liabilities are concerned along with other materials and pass appropriate order in accordance with law along with main petition.

8. Accordingly, I proceed to pass the following:-

ORDER

- i. Writ petition is ***disposed of***.
- ii. The order rendered by the Court of II Additional Principal Judge, Family Court, Mysuru in M.C.No.43/2024 dated 22.11.2024 is set aside.
- iii. The matter is remanded back to the Family Court to consider the same afresh and to pass orders.



- iv. Petitioner shall not seek any adjournments and he should cooperate with the Court in disposal of the matter time bound.
- v. Both parties are directed to appear either in person or through their respective counsels before the Family Court on 17.04.2026 without further notice of this Court.
- vi. Family Court giving opportunity to both the parties to file objections to the affidavits of assets and liabilities respectively and shall dispose of the matter as expeditiously as possible preferably within a period of 8 months.

Sd/-
(DR.K.MANMADHA RAO)
JUDGE

MH/-
List No.: 1 Sl No.: 80