



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. 9469 OF 2025 (GM-FC)

BETWEEN:

SRI. HARISH. A.N.
S/O NARAYANAPPA,
AGED 40 YEARS,
R/AT PURA VILLAGE,
LAKKUR HOBLI, MALUR TALUK,
KOLAR DISTRICT-563 101.

...PETITIONER

(BY SRI. SOMASHEKHARAIHA R.P.,ADVOCATE)

AND:

SMT. A.M. RANJITHA
W/O HARISHA A.N
D/O MALLIKARJUNA
AND SMT. MANJULA
AGED ABOUT 39 YEARS
R/AT C/O ABBAIAH'S FAMILY,
KURA VILLAGE,
LAKKUR HOBLI,MALUR TALUK,
KOLAR DISTRICT-563 101.

...RESPONDENT

(RESPONDENT SERVED, UNREPRESENTED)

THIS WP IS FILED UNDER ARTICLE 227 OF THE
CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER DT.
13/10/2023 ON IA NO. 4 IN MC 34/2017 ON THE FILE OF THE
SENIOR CIVIL JUDGE AND JMFC, AT MALUR UNDER ANNEX-F.

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 Senior Civil Judge & JMFC, Malur, Kolar in M.C.No.34/2017 dated 13.10.2023, 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.4 under Section 24 of the Hindu Marriage Act, 1955 seeking interim maintenance and the Family Court through the impugned order directed the husband to pay the wife a sum of Rs.10,000/- per month towards interim maintenance.

4. Learned counsel for the petitioner – husband submitted that the Family Court without appreciating the facts and circumstances of the case has allowed I.A.No.4 for grant of interim maintenance. The Family Court has



also not considered his objections and the documents produced by him. He submits that the wife has suppressed the fact that he has retired from army job and due to the retirement, his salary has been reduced. Hence, prays for quashing the impugned order.

5. Heard learned counsel for the petitioner. In spite of service of notice on the respondent, there is no representation.

6. On hearing the submissions of the learned counsel for the petitioner, it is noticed that the petitioner is retired from his Army job and he has failed to produce the salary slip as on the date of disposal of the application. As per Annexure – E, which is pension slip, the petitioner is retired from service on 28.02.2023 and his gross salary is Rs.34,328/- for the month of March, 2023.

7. In view of the same, this Court is opined that in the interest of justice to remit back the matter to the Family Court for fresh consideration with regard to



Annexure – E along with application and documents produced by the petitioner 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 Civil Judge and JMFC, Malur, Kolar in M.C.No.34/2017 dated 13.10.2023 is set aside.
- iii. The matter is remanded back to the Family Court to consider the same afresh and to pass orders in accordance with law.
- iv. Petitioner shall not seek any adjournments and he should cooperate with the Court in disposal of the matter time bound.
- v. Liberty is granted to the petitioner to file application along with documents within a period of 15 days from the date of receipt of



copy of this order and thereafter, the Family Court by giving an opportunity to both parties and pass appropriate orders in accordance with law as expeditiously as possible.

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

MH/-
List No.: 1 Sl No.: 60