



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 2ND DAY OF JUNE, 2026

BEFORE

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

WRIT PETITION NO.13966 OF 2025 (GM-FC)

BETWEEN:

SAYED KAMRAN
S/O S. O. SAJJAD,
AGED ABOUT 37 YEARS,
R/AT FLAT NO. 6092,
PRESTIGE SUNRISE PARK,
BRICHWOOD,
ELECTRONIC CITY PHASE - 1,
BENGALURU - 560 100.

...PETITIONER

(BY MISS PRATHIKSHA JAIN, ADVOCATE FOR
SRI. RAJASHEKAR S.,ADVOCATE)

Digitally signed
by AASEEFA
PARVEEN
Location: HIGH
COURT OF
KARNATAKA

AND:

SMT. BUSHRA @SYED BUSHRA
AGED ABOUT 31 YEARS
W/O SRI SYED KAMRAN
D/O SRI JAVADAHMED
R/AT NO. 16, G 02,
R K MANSION KUTTY COLONY,
LALBHAG SIDDAPURA ROAD,
JAYANAGAR 1ST BLOCK,
BENGALURU - 560011.

...RESPONDENT

(BY SRI. ALLAH BAKASH M., ADVOCATE)



THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER DATED 02.04.2025 PASSED ON I.A. NO.2 OF 2024 FILED UNDER SECTION 125(2) OF THE CR.PC IN CRL. MISC NO.459/2024 ON THE FILE OF THE PRINCIPAL JUDGE. FAMILY COURT, BENGALURU VIDE ANNEXURE - A.

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

CORAM: HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

ORAL ORDER

Heard Ms.Prathiksha Jain who represents Sri.Rajashekhar S., learned counsel on record for the petitioner as well as Sri.Allah Bakash M., learned counsel for the respondent.

2. Seeking the Court to issue a writ of certiorari and to quash the order that is rendered by the Court of Principal Judge, Family Court, Bengaluru, on IA No.II in Crl.Misc.Case No.459/2024 dated 02.04.2025 this writ petition is filed.

3. Respondent who is the wife of the petitioner filed an interlocutory application i.e. I.A.No.II to direct the petitioner herein to pay a sum of Rs.40,000/- per month towards interim



maintenance apart from litigation expenses of Rs.25,000/-. The Family Court through the impugned order directed petitioner herein to pay respondent a sum of Rs.10,000/- per month towards interim maintenance. The Family Court also directed petitioner to pay Rs.20,000/- per month towards interim maintenance of the child in addition to the educational expenses of the child. It also directed the petitioner to pay respondent a sum of Rs.20,000/- towards litigation expenses.

4. Making her submission on the merits of the matter, learned counsel for the petitioner contends that it is the respondent who willfully left the matrimonial home along with the child and there are no valid reasons for her to do so. Petitioner was voluntarily paying Rs.5,000/- per month towards maintenance and said amount was being paid without any order of the Court. Through the impugned order Family Court directed the petitioner to pay respondent and child a sum of Rs.30,000/- per month which is exorbitant. Further, respondent is an educated woman and she is capable of earning. On the other hand, petitioner sustained loss in his business and he is slowly recovering. Therefore, he is unable to pay such huge



amount towards interim maintenance and therefore, impugned order is liable to be set aside.

5. Learned counsel for respondent on the other hand submits that petitioner maintains a Company and he earns a lot. The income tax returns filed by him reveals that he earns more than Rs.2,00,000/- per month. Child aged around seven years suffers from Autism and the child is getting treated by spending huge amount by the respondent. Respondent does not have any source of earnings. Therefore, it is for the petitioner to maintain the respondent and their child. Considering all the aspects of the case, Family Court therefore directed the petitioner to pay a sum of Rs.10,000/- per month to the respondent and the child a sum of Rs.20,000/- per month towards interim maintenance and thus there are no grounds to interfere with.

6. There is no denial of the fact that petitioner is the Director of Hiring Hut Solutions Private Limited, Bengaluru. As per his own version he purchased a Car by obtaining loan and he is paying Rs.53,000/- per month towards EMI. Thus, when the petitioner is in a position to pay a sum of Rs.53,000/- per



month towards EMI, that too for purchase of a Car, he cannot agitate to pay a sum of Rs.20,000/- per month towards maintenance of a child who suffers from Autism Spectrum Disorder (ASD). There is a clear mention in the impugned order that as per the income tax returns filed by him for the Assessment Year 2022-2023, his income is Rs.26,73,970/-, for the Assessment Year 2023-2024 it is Rs.14,30,740/- and for the Assessment Year 2024-2025 his income is Rs.28,84,447/- per annum. Thus, it can be safely held that petitioner earns around Rs.2,00,000/- per month. For a person who earns around Rs.2,00,000/- per month and who is paying a sum of Rs.53,000/- per month towards EMI for the loan he obtained for purchase of a Car, it will not be so difficult to pay a sum of Rs.10,000/- per month for maintenance of his wife and Rs.20,000/- per month for the maintenance of the child, who is suffering from acute illness in addition to incurring the necessary educational expenses of the child. Therefore, this Court is of the view that, there are no grounds to interfere with the well reasoned order and the findings given by the Family Court. Therefore, the writ petition is disposed of with the following:



NC: 2026:KHC:26020
WP No. 13966 of 2025

ORDER

The writ petition is dismissed.

Sd/-
(DR.CHILLAKUR SUMALATHA)
JUDGE