



CNR: KAHC010284392020

NC: 2026:KHC:47510
WP No. 3370 of 2021

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

WRIT PETITION NO.3370 OF 2021 (GM-FC)

BETWEEN:

SRI. DEEPAK D.,
S/O. J. J. DHARMAPPA,
AGED ABOUT 33 YEARS,
R/A NO.10, SIRI D. BLOCK,
3RD CROSS, SRI KRISHNA GARDEN LAYOUT,
PATTANGERE, BENGALURU SOUTH KENGERI,
BENGALURU-560098.

...PETITIONER

(BY SMT. CHAMPOO KAVYA S., ADVOCATE FOR
SRI. SUNIL SASTRY M., ADVOCATE)

AND:

KUM. ARTHA GOWDA,
D/O DEEPAK D.,
AGED ABOUT 2 YEARS,
REP BY SMT PRATEEKSHA,
THE NATURAL GUARDIAN AND
MOTHER R/AT VENKATESHWARA KRUPA,
SINDU MARGA, KAVERI NAGAR,
MANDYA-571 401.

...RESPONDENT

(BY SMT. PRIYANKA R., ADVOCATE FOR
SMT. MAMATHA D. N., ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
ALLOW THE INSTANT AND SET ASIDE THE INTERIM ORDER IN
INTERIM APPLICATION PASSED BY THE HONBLE II
ADDITIONAL CIVIL JUDGE AND JMFC MANDYA IN CRL MISC

Digitally signed
by AASEEFA
PARVEEN

Location: HIGH
COURT OF
KARNATAKA



NO.40/2019 DATED 04.08.2020 VIDE ANENXURE-A IN
ACCORDANCE WITH LAW.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY,
ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

ORAL ORDER

Heard Smt.Champoo Kavya.S, learned counsel for
the petitioner who appears through video conference as
well as Ms.Priyanka.R who appears before this Court
physically and represents Smt.Mamatha.D.N, learned
counsel on record for the respondent.

2. This writ petition is filed seeking the Court to
set aside the order passed by the Court of II Additional
Civil Judge, Mandya in Crl.Misc.No.40/2019 dated
04.08.2020, basing on an interlocutory application filed by
respondent herein seeking interim maintenance.

3. Respondent a child aged around 2 years
represented by her mother filed an interlocutory
application in Crl.Misc.No.40/2019 seeking interim
maintenance of Rs.15,000/- per month. Court allowed said



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application and directed petitioner/father to pay the same. Aggrieved by the liability imposed, father filed this writ petition.

4. This writ petition is devoid of merits due to following reasons:

- (i) The salary of petitioner/father as per the affidavit given by him disclosing his assets and liabilities is Rs.1,90,000/- per month.
- (ii) Though it is contended that the petitioner/father has to look after his aged parents, as per his own statement given through the affidavit disclosing his assets and liabilities, father is a retired employee and he is receiving pension.
- (iii) Though a plea is taken that petitioner/father suffers with lower back issue and he is undergoing physiotherapy, as per his own version, he is attending his office and is earning around Rs.1,90,000/- per month.



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(iv) Though it is projected that mother of respondent is equally earning, that does not absolve the liability of the father to maintain the child.

(v) The father earning around Rs.1,90,000/- per month, in the opinion of this Court, in the light of absence of any proof regarding other liabilities to be attended to, can without any hardship pay Rs.15,000/- per month for the maintenance of his own daughter.

5. Therefore this Court is of the view that the writ petition is liable to be dismissed.

Resultantly, the writ petition is *dismissed*.

**Sd/-
(DR.CHILLAKUR SUMALATHA)
JUDGE**

NS
CT:TSM
List No.: 1 Sl No.: 35