



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 14TH DAY OF JULY, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE T.M.NADAF

MISCELLANEOUS FIRST APPEAL NO. 3415 OF 2026 (FC)

BETWEEN:

SRI. SADASHIVA RAO,
S/O. LATE KRISHNIJI RAO,
AGED ABOUT 50 YEARS,
R/A NO.45, CITB MODEL HOUSE,
KARUNAPURA EXTENSION,
N.R MOHALLA,
MYSURU - 570 007.

...APPELLANT

(BY SRI. KARTHIK S. GHALIMATH, ADVOCATE FOR
SRI. ARUN ASHOK GADAG., ADVOCATE)

AND:

SMT. INDU RAO,
W/O SADASHIVA RAO,
D/O ESHWAR RAO,
AGED ABOUT 47 YEARS,
R/A NO.31/7, CASTLE ROCK VILLA,
OPPST. R AND S APARTMENT
AND D-MART, HENNUR MAIN ROAD,
HENNUR, BENGALURU - 560 043.

...RESPONDENT



THIS MFA FILED UNDER SECTION 19(1) OF FAMILY COURT ACT, AGAINST THE JUDGMENT AND DECREE DATED:06.04.2026 PASSED IN MC NO.1226/2024 ON THE FILE OF THE I ADDITIONAL PRL JUDGE, FAMILY COURT, MYSURU, DISMISSING THE PETITION FILED U/S.13(1)(i)(ia) OF THE HINDU MARRIAGE ACT, 1955.

THIS APPEAL, COMING ON FOR ADMISSION, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE D K SINGH
and
HON'BLE MR. JUSTICE T.M.NADAF

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE D K SINGH)

The present appeal has been filed under Section 19(1) of the Family Courts Act, impugning the judgment and decree dated 06.04.2026 passed by the I Additional Principal Judge, Family Court, Mysuru in MC.No.1226/2024 filed by the appellant/husband seeking a decree of divorce to dissolve his marriage solemnized with the respondent on 04.04.2001 on the ground of cruelty as provided under Section 13(1)(ia) of the Hindu Marriage Act, 1955.



2. The appellant is well-placed and has been working in Infosys at Bengaluru. The respondent was also working in Infosys, after Infosys, the respondent joined HSBC Company at Bannerghatta road. Out of the wed lock the first daughter was born on 07.04.2006 named as Honna Sadashiva Ravath and the second daughter was born on 10.04.2008 named as Vidusi Sadashiv Ravath.

3. It appears that some differences arose between the parties in the year 2018 and the appellant filed the petition in MC.No.1226/2024. On the basis of the pleadings, the Family Court framed the following issues:

- 1) *"Whether the petitioner proves that he has been subjected to cruelty, hence he is entitled for a decree of divorce against the respondent?"*
- 2) *Whether the respondent proves that she is entitled for decree of divorce against the petitioner as prayed in her counter claim?*
- 3) *What decree or order?"*

4. To prove the cruelty allegedly committed by the respondent/wife, the appellant could not substantiate the



allegation by leading cogent and credible evidence and therefore, the Family Court answered the first issue in 'negative'. On the other hand the respondent-wife filed a petition under Section 9 of the Hindu Marriage Act, 1955, seeking a decree of restitution of conjugal rights. As the appellant could not prove the allegation of cruelty committed by the respondent and the respondent having proved the allegation made in her petition, despite this she was willing to live with the appellant, the counter claim sought by the respondent-wife under Section 9 of the Hindu Marriage Act, 1955, was allowed and the appellant was directed to take back the respondent to her matrimonial home within a period of 30 days.

5. Learned counsel for the appellant has submitted that the respondent had filed a complaint to the police and that was the reason for causing mental agony and cruelty to him. However, he has not disclosed the fact that why the respondent was compelled to call the police. As the allegations of cruelty are only vague and no material has



been produced before the Family Court except some marriage invitation card and joint photographs. We are of the view that the Family Court has not committed any error while appreciating the evidence brought on record. The appellant has failed to substantiate the allegation of cruelty, he is not entitled for a decree of divorce and therefore, we ***dismiss*** the appeal.

Sd/-
(D K SINGH)
JUDGE

Sd/-
(T.M.NADAF)
JUDGE

PK
List No.: 1 Sl No.: 5
ct-vn