



CNR: KAHC010432992015

NC: 2026:KHC:39789-DB
MFA No. 7484 of 2015

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH 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. 7484 OF 2015 (FC)

BETWEEN:

1. SMT. SHAMALA
AGED ABOUT 49 YEARS
W/O K.N. MADHUSUDHAN
R/AT NO.19/4, 1ST MAIN
JAYAMAHAL EXTENTION
BANGALORE-560 046

...APPELLANT

(BY SRI. RAJESH MAHALE, ADVOCATE FOR
SRI. AKASH B. SHETTY, ADVOCATE)

AND:

1. SRI. K.N. MADHUSUDHAN
AGED ABOUT 53 YEARS
S/O. K.L. NARAYANSA
R/AT NO.72/1-5
CUNNINGHAM ROAD
OPPOSITE STATE BANK OF MYSORE
VASANTHNAGAR
BANGALORE-560 052.

...RESPONDENT

(BY MS. LEKHA JAIN, ADVOCATE FOR
SRI. SIDDHARTH SUMAN, ADVOCATE)

THIS MFA IS FILED U/S 19(1) OF THE FAMILY COURTS
ACT AGAINST THE JUDGMENT AND DECREE DATED 29.8.2015
PASSED IN M.C NO.1838/2011 ON THE FILE OF THE IV

Digitally
signed by
VASANTHA
KUMARY B
K
Location:
HIGH
COURT OF
KARNATAKA



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ADDITIONAL PRINCIPAL JUDGE, FAMILY COURT, BENGALURU,
ALLOWING THE PETITION FILED UNDER SECTION
27(1)(a)(b)(d) OF THE SPECIAL MARRIAGE ACT.

THIS APPEAL, COMING ON FOR FINAL HEARING, 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 under Section 19(1) of the Family Courts Act, 1984, has been filed impugning the judgment and decree dated 29.08.2015 passed by the IV Additional Principal Judge, Family Court at Bangalore.

2. The said Matrimonial Case was filed by the husband-respondent herein under Section 27 (1) (a) (b) and (d) of the Special Marriage Act, 1984 seeking dissolution of the marriage with the appellant-wife, which was solemnized way back on 06.04.1988, in the Sub Registrar's Office, Rajajinagar, Bangalore.



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3. Out of the wedlock two children were born. The elder one is daughter by name Kumari Chandani, who is now married and settled abroad. The second child is the son, who is now around 33 years of age, but not settled in life, so far his career and profession is concerned. He is staying with the mother. We have been told that he is pursuing law degree.

4. It is also not in dispute that the parties have been living separately since 1995 and there is hardly any scope room for reconciliation or living together or leading married life between them.

5. Sri. Rajesh Mahale, learned counsel appearing for the appellant-wife also fairly submits that the relationship and marriage between the parties was dead long back, it is almost 31 years back and as such he is not pressing the appeal on merits and not seeking to set aside the judgment and decree passed by the Family Court so far as the decree of divorce is concerned dissolving the marriage between the parties. He however, submits that this Court may fix one time alimony or in the alternative the interim maintenance.



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6. The respondent-husband is in business. He comes from business family of Khoday Distilleries. It is alleged that the respondent has not maintained and looked after the wife and children after they started living separately in 1995.

7. Be that as it may, as of today, he is not paying any maintenance to the wife and the son who is 33 years old and is staying with the mother. The allegation is also that during the subsistence of the first marriage he contracted the second marriage, and he has children from the second marriage also.

8. As we are confirming the impugned judgment and decree, dated 29.08.2015, we are not commenting or giving any finding on the second marriage. It is well settled that the wife is to be maintained as per the status and living standard of the husband. Therefore, while confirming the impugned judgment and decree, we direct the respondent to pay Rs.1,00,000/- per month maintenance to the appellant-wife and son together as son is yet to get settled in life. In Indian society and ethos, the parental obligations do not come to an end after the children attain the age of majority. For any modification in the order of



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maintenance, the parties may move the Family Court concerned, by filing an appropriate application.

9. In view thereof, we pass the following:-

ORDER

- a. The present appeal is ***dismissed*** so far as the decree of divorce is concerned. However the respondent is directed to pay Rs.1,00,000/- (Rupees One Lakh only) maintenance to the appellant-wife and son on or before 10th day of each calendar month w.e.f. August 2026, till it is modified by the Family Court.
- b. We confirm the judgment and decree of divorce dated 29.08.2015 passed by the IV Additional Principal Judge, Family Court at Bangalore.

**Sd/-
(D K SINGH)
JUDGE**

**Sd/-
(T.M.NADAF)
JUDGE**

NG
CT:SM
List No.: 2 Sl No.: 7