



CNR: KAHC010451652026

NC: 2026:KHC:42226-DB
MFA No. 4998 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 10TH DAY OF AUGUST, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE H.SHANTHI BHUSHAN

MISCELLANEOUS FIRST APPEAL NO. 4998/2026 (MC)

BETWEEN:

SMT. S KAMALA VANI
W/O MADHUSUDHAN.K.
D/O D. SETHURAMAN,
AGED ABOUT 44 YEARS
R/AT DOOR NO.1, GAYATHRI NILAYAM,
BABANAGAR, D.K. HALLI MAIN ROAD,
BEML NAGAR POST, KGF-563 115.

...APPELLANT

(BY SRI. GOPALA H M.,ADVOCATE)

AND:

SRI MADHUSUDAN K
S/O LATE KUPPUSWAMY J,
AGED ABOUT 51 YEARS,
WORKING IN BEML, KGF,
R/AT DOOR NO.1612, 4TH CROSS, .
GEETHA ROAD, ROBERTSONPET POST,
KGF-563 122.

...RESPONDENT

THIS MFA FILED U/S.19(1) OF FAMILY COURT ACT,
AGAINST THE JUDGMENT AND DECREE DATED 09.04.2026
PASSED IN MC NO.152/2021 ON THE FILE OF THE I
ADDITIONAL SENIOR CIVIL JUDGE AND JMFC, KGF,
ALLOWING THE PETITION FILED U/S 13(1)(IA)(IB) OF THE
HINDU MARRIAGE ACT, 1955.

Digitally
signed by
MALA K N
Location:
High Court of
Karnataka



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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 H.SHANTHI BHUSHAN

ORAL JUDGMENT

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

The present appeal under Section 19(1) of the Family Court Act, has been filed by the appellant/wife being aggrieved by the judgment and decree dated 09.04.2026 passed by the I Additional Senior Civil Judge & JMFC, KGF in M.C.No.152/2021 filed by her for decree of divorce under Section 13(1)(ia) & (ib) of Hindu Marriage Act, 1995 to dissolve her marriage with respondent which was performed on 22.08.2005. After 20 years she was divorced.

2. Insofar as the decree of divorce is concerned, the Family Court has allowed the petition by the impugned judgment and decree, however, the Family Court has not granted any alimony to the appellant. The appellant is



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aggrieved by non-granting of any alimony to her by the Family Court.

3. The reasons as stated in the impugned judgment are at paragraph -19 for not granting permanent alimony to the appellant which would read as under:

*"19. Though the petitioner has also claimed permanent alimony in this petition, there is no material on record to show the exact income of the respondent and as such, this court is not in a position to award just amount towards permanent alimony to the petitioner. However, the petitioner is at liberty to claim the same by initiating appropriate action against the respondent in accordance with law by placing sufficient material on record. Therefore, looking from any angle, I have no hesitation to answer the above point No.2 in favour of the petitioner and accordingly, the point No.1 is answered in the **NEGATIVE** and point No.2 in the **AFFIRMATIVE**."*

4. The Family Court has however granted liberty to the appellant to take recourse for appropriate proceedings by producing the relevant material to make out the case for grant of permanent alimony. We are of the view that the finding recorded by the Family Court at



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paragraph 19 and the liberty granted to the appellant do not require any interference by this Court.

5. We therefore dismiss the appeal leaving open to the appellant to make out the case seeking appropriate remedy as available to her under law for permanent alimony, if she is entitled.

Sd/-
(D K SINGH)
JUDGE

Sd/-
(H.SHANTHI BHUSHAN)
JUDGE

BVK
List No.: 1 Sl No.: 6