



CNR: KAHC010560812025

NC: 2026:KHC:56146
WP No. 25854 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 7TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO. 25854 OF 2025 (GM-FC)

BETWEEN:

SRI S.N.PRADEEP
S/O S.N.NARASIMHAMURTHY
AGED ABOUT 29 YEARS
R/AT SOMENAHALLI HOBLI,
GUDIBANDE TALUK,
CHIKKABALLAPUR DISTRICT - 561 209

...PETITIONER

(BY SRI. HANUMESH H.N., ADVOCATE)

AND:

SMT B.L.LATHASHREE
W/O S.N.PRADEEP
D/O LAKSHMINARAYANA
AGED ABOUT 28 YEARS
R/AR NEAR KOTE RAMAL TEMPLE WARD
NO.03, GOWRBIDANUR TOWN AND TALUK
CHIKKABALLAPUR DISTRICT - 561 208

...RESPONDENT

(BY SRI. SIDDHARTHA D.K., ADVOCATE)

THIS W.P. IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA, PRAYING TO CALL FOR THE RELEVANT RECORDS AND SET ASIDE THE IMPUGNED ORDER DATED: 04.07.2025 PASSED BY THE LEARNED SENIOR CIVIL JUDGE, FAMILY COURT, GUDIBANDE, CHIKKALLAPUR, IN MC NO. 03/2024 AT ANNEXURE-D.



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

CORAM: HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

ORAL ORDER

The present writ petition is filed aggrieved by the orders passed on I.A filed under Section 24 of the Hindu Marriage Act, in MC.No.3/2024 dated 04.07.2025 by the Senior Civil Judge, Gudibande, the husband is before this Court. The trial Court, by the impugned order, had granted an amount of Rs.8,000/- per month from the date of application till the disposal of the petition from the petitioner.

2.Both the parties are referred to as husband and wife for the sake of convenience.

3. Learned counsel appearing for the petitioner/husband submits that he could not file the statement of assets and liabilities before the trial court, and in fact the wife also had not filed the statement of assets and liabilities, which is contrary to the law laid down by the Hon'ble Apex Court in the case of



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Rajnesh Vs. Neha¹. Without considering these aspects, the trial court had granted an amount of Rs.8,000/-. It is submitted that the impugned order may be set aside and the matter may be remanded to the trial court, giving an opportunity to the parties to file their respective statements of assets and liabilities.

4. Learned counsel appearing for the respondent/wife submits that the husband has failed to pay any amount to the wife and she is not in a position to maintain herself. However, husbandn does not deny the fact that the respondent also has not filed the statement of assets and liabilities. Learned counsel further submits that the trial Court had granted only a meager amount of Rs.8,000/- and there are no grounds to interfere with the order.

5. Having heard the learned counsel on either side, perused the material on record. Admittedly, as per the law laid down by the Hon'ble Apex Court in ***Rajnesh Vs. Neha case*** referred supra, both the parties have failed to file their respective statement of assessment liabilities. The Hon'ble

¹ (2021) 2 SCC 324



Apex Court has observed in the said judgment that if the same are not filed, the trial Court has to take an adverse inference. In this case, both the parties have not filed their respective statement of assets and liabilities. When the matter came up on the last occasion, when the petitioner was seeking a relief, this Court has specifically directed the counsel for the petitioner to get specific instructions, if he pays the amount as per the order, this Court would set aside the order and will remand the matter back to the trial court for consideration. Today, on instructions, the learned counsel for petitioner submits that the entire amount as per the impugned order dated 04.07.2025, will be paid on 16.10.2026, when the matter is coming up before the trial court.

6. Considering the same, this Court is passing the following:

ORDER

- i. The impugned order dated 04.07.2025 passed in MC.No.3/2024 by the Senior Civil Judge, Gudibande is **set aside** on the condition that on



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16.10.2026 the petitioner shall pay the entire amount due till that date as per the order dated 04.07.2025. If the amount is not paid, the order dated 04.07.2025 stands **revived**.

- ii. Once the amount is paid, both the parties shall file their respective statements of assets and liabilities within a period of 4 weeks from 16.10.2026.
- iii. Within a period of 4 weeks from thereon, the trial court shall decide the application and pass appropriate orders. Till the application is decided, the petitioner shall continue to pay Rs.8,000/- per month.
- iv. Accordingly, the writ petition is **Allowed**.
- v. Pending I.As., if any in the petition shall stand closed.

**SD/-
(LALITHA KANNEGANTI)
JUDGE**

TS
List No.: 1 Sl No.: 51