



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 8TH DAY OF JUNE, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

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

MISCELLANEOUS FIRST APPEAL NO. 6632 OF 2025 (FC)

BETWEEN:

1. SMT. A JYOTHI
D/O R.L.ANNOJIRAO,
W/O PRABHAKAR RAO,
AGED ABOUT 46 YEARS,
R/AT RANGENAHALLI VILLAGE,
SIDDESWARA ROAD, TARIKERE TALUK,
CHICKKAMGALURU DISTRICT-577228

...APPELLANT

(BY SRI. M V MAHESWARAPPA., ADVOCATE)

AND:

1. SRI J PRABHAKAR RAO
S/O S.JAYASHEELA RAO,
AGED ABOUT 56 YEARS,
R/AT SIDDAGANGA NILAYA,
BEHIND IYYAPPASWAMY TEMPLE,
GADIKOPPA, SHIVAMOGGA CITY-577201

...RESPONDENT

(BY SRI. UMESH P.B, ADVOCATE FOR
SRI. R.B.DESHPANDE, ADVOCATE)

THIS MFA IS FILED UNDER SECTION 19(1) OF FAMILY COURTS ACT AGAINST THE JUDGMENT AND DECREE DATED 17.07.2025 PASSED IN MC NO. 35/2015 ON THE FILE OF THE PRINCIPAL JUDGE, FAMILY COURT, SHIVAMOGGA, ALLOWING THE PETITION FILED UNDER SECTION 13(ia)(ib) (iii) OF THE HINDU MARRIAGE ACT, 1955.

Digitally
signed by
VASANTHA
KUMARY B
K

Location:
HIGH
COURT OF
KARNATAKA



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, 1984 impugning the judgment and decree passed by the Family Court, Shivamogga in M.C.No.35/2015 whereby the Family Court has allowed the petition filed by the respondent/husband under Section 13(ia)(ib)(iii) of the Hindu Marriage Act, 1955 seeking dissolution of marriage on the grounds of cruelty, desertion and mental illness.

2. The marriage was solemnized between the parties on 25.10.1998. They have three children out of the wedlock. The paternity of two children has not been denied by the respondent-husband. However, in respect of the third child, the respondent has disputed the paternity. The Family Court, considering the evidence on record has granted decree of divorce and thus, the marriage solemnized between the parties



on 25.10.1998 has been dissolved by the decree of divorce on the ground of desertion. The Family Court has also directed to pay Rs.10,00,000/- to the appellant-wife as permanent alimony.

3. Learned counsel for the appellant does not seriously dispute the findings of the Family Court regarding desertion. However, he submits that looking at the status of the respondent who is working as Senior Section Superintendent Engineer, the amount of alimony to meet the expenses of the wife and one minor child is meager, and therefore, he seeks enhancement of alimony.

4. On the other hand, learned counsel for the respondent has supported the impugned judgment and order and submitted that the alimony of Rs.10,00,000/- awarded by the Family Court is just and proper. He further submits that since the two children who are with the respondent are of marriageable age, he needs to bear the expenses for the marriage of both the daughter and son. He also submits that alimony of Rs.10,00,000/- is just and proper which does not require any interference.



5. We have considered the submissions of the learned counsel for the parties.

6. The marriage between the appellant and respondent was solemnized way back in the year 1998 and after 27 years of their marriage, divorce petition came to be filed which has been allowed. Considering the fact that the respondent is well-employed and drawing a good salary in Government service, we enhance the alimony from Rs.10,00,000/- to 15,00,000/-. The present appeal stand disposed of on the following terms:

ORDER

i. The respondent shall pay permanent alimony of Rs.15,00,000/- towards full and final settlement of all claims of the respondent, whether for maintenance or otherwise.

ii. The permanent alimony of Rs.15,00,000/- is directed to be paid in three equal installments. The first installment should be paid on or before 07.07.2026 and the second and third



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installments should be paid on or before 07.08.2026
and 07.09.2026 respectively.

No order as to costs.

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

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

RKA
List No.: 1 Sl No.: 4