



CNR: KAHC010745102025

- 1 -

NC: 2026:KHC:44766-DB
MFA No. 8524 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH 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.8524/2025 (FC)

BETWEEN:

MR. NARENDRA KUMAR
S/O LATE. K SHANKAR RAO,
AGED ABOUT 44 YEARS,
R/O E310, CASAGRANDE BOULEVARDE,
CHIKKAGUBBI ROAD, DODDAGUBBI POST,
SONAM LAYOUT, VISTHAR, BENGALURU,
KARNATAKA, 560 077.
CURRENTLY RESIDING AT
1 FIELDCREST AVENUE, EDISON,
NEW JERSEY 08837.
AMIT KUMAR (BY GPA HOLDER)

...APPELLANT

(BY SRI. RAJESH MOANDAS, ADVOCATE FOR
SMT.SONIA RAJESH, ADVOCATE)

AND:

MRS. DEEPA. S,
D/O MR. SHANKAR NARAYANA RAO,
AGED ABOUT 43 YEARS,
R/O FIRST FLOOR, SHANTHI NILAYA,
MIG-11-59-A, ND STAGE,
7TH CROSS, KUVEMPU NAGAR,
HASSAN, KARNATAKA - 573 201.

...RESPONDENT

(BY SMT. SHWETHA RAVISHANKAR, ADVOCATE)

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



CNR: KAHC010745102025

NC: 2026:KHC:44766-DB
MFA No. 8524 of 2025

THIS MFA FILED U/S.19(1) OF FAMILY COURT ACT, AGAINST THE JUDGMENT AND DECREE DT. 12.09.2025 PASSED IN MC NO.90/2021 ON THE FILE OF THE PRL JUDGE, FAMILY COURT HASSAN, DISMISSING THE PETITION FILED U/S.13(1)(IA) OF THE HINDU MARRIAGE ACT.

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 H.SHANTHI BHUSHAN)

The present appeal is directed against the judgment and decree dated 12.09.2025 passed in M.C.No.90/2021 by the Principal Judge, Family Court, Hassan, ('the Family Court' for brevity) whereby the petition filed by the petitioner-husband under Section 13(1)(ia) of the Hindu Marriage Act, 1955 ('the Act' for brevity), came to be dismissed.

2. The brief facts of the case are, the petitioner-husband filed M.C. No.90/2021 under Section 13(1)(ia) of the Act, seeking dissolution of his marriage with the respondent on the ground of cruelty. The marriage



CNR: KAHC010745102025

**NC: 2026:KHC:44766-DB
MFA No. 8524 of 2025**

between the parties was solemnized on 18.08.2011 at Sapthapadi Soudamini Sabhangana, Sree Seetha Ramanjaneya Temple, Park Road, Hassan, according to Hindu rites and customs. After the marriage, they lived together at Hyderabad and Bengaluru. The petitioner, who is a Chartered Accountant, stated that despite his efforts to maintain the matrimonial relationship, the respondent gradually developed an indifferent and hostile attitude towards him and his family members. According to the petitioner, she frequently picked up quarrels, used harsh and derogatory language and did not maintain cordial relationship with his mother. He further alleged that she repeatedly insisted him to establish a separate residence and on several occasions, behaved in a manner which caused him considerable mental agony. The petitioner also referred to the difficulties faced by the parties in having a child, the medical treatment undergone by them and their subsequent decision to adopt a child.



CNR: KAHC010745102025

NC: 2026:KHC:44766-DB
MFA No. 8524 of 2025

3. The petitioner further alleged that even after the adoption of the child, the respondent's conduct did not improve. He stated that she continued to quarrel with him, objected to the involvement of his mother and other family members in the life of the child and created an atmosphere of tension in the matrimonial home. He relied upon certain incidents which, according to him, occurred particularly during 2019, including her insistence upon a separate residence, alleged abusive behaviour and an incident in which she allegedly left the child in his care during the night. According to the petitioner, notwithstanding his efforts to protect the marriage, including arranging a separate residence and providing financial and other support to the respondent and the child, the matrimonial relationship became completely strained. He, therefore, contended that the cumulative effect of the respondent's conduct amounted to mental cruelty and that he could no longer reasonably be expected to live with her. On these allegations, he sought



CNR: KAHC010745102025

NC: 2026:KHC:44766-DB
MFA No. 8524 of 2025

dissolution of the marriage, custody of the child and compensation of Rs.50,00,000/-.

4. The respondent-wife contested the petition and denied the allegation of cruelty in their entirety. She contended that she had never treated the petitioner or his family members with cruelty and that the allegations made against her were exaggerated and had been made only with a view to obtain a decree of divorce. She denied having behaved in an aggressive or disrespectful manner or having used abusive language. According to her, the matrimonial difficulties were not attributable to her conduct, but arose on account of the interference and conduct of the petitioner's family members, particularly his mother.

5. She further contended that she herself had been subjected to ill-treatment and that the petitioner had failed to provide her with the necessary support and protection.



CNR: KAHC010745102025

NC: 2026:KHC:44766-DB
MFA No. 8524 of 2025

6. The respondent further denied the specific incidents relied upon by the petitioner and stated that her request for a separate residence was made only with a view to securing peace in the matrimonial life and could not, by itself, constitute cruelty. She maintained that she had fully cooperated with the petitioner in undergoing fertility treatment and in the adoption of the child and had thereafter taken care of the child. She denied having threatened to abandon the child or having behaved violently towards the petitioner. She also referred to the proceedings initiated by her under the Protection of Women from Domestic Violence Act, 2005 and contended that the matrimonial discord had arisen because of the conduct of the petitioner and his family. According to her, the petitioner had failed to establish any act of cruelty of such nature or gravity as would attract Section 13(1)(ia) of the Act and, therefore, the petition was liable to be dismissed.



CNR: KAHC010745102025

**NC: 2026:KHC:44766-DB
MFA No. 8524 of 2025**

7. In support of his case, the petitioner examined himself as PW-1 and reiterated the allegations made in the petition. He deposed regarding the marriage, the matrimonial life of the parties, the differences that arose between them, the alleged conduct of the respondent towards him and his family members, her insistence upon a separate residence, the medical treatment undergone by the parties and the subsequent adoption of the child. He also spoke about the incidents relied upon by him as constituting mental cruelty and stated that, despite his efforts to preserve the matrimonial relationship, the conduct of the respondent had made it difficult for him to continue the marriage. In support of his oral evidence, the petitioner produced and marked Ex.P1 to Ex.P77, which included documents relating to the marriage, properties, medical treatment, adoption of the child, financial transactions and other circumstances relied upon by him.



CNR: KAHC010745102025

**NC: 2026:KHC:44766-DB
MFA No. 8524 of 2025**

8. The respondent examined herself as RW-1 and denied the allegations made by the petitioner. She maintained that she had not treated the petitioner or his family members with cruelty and disputed the various incidents relied upon by him. She gave her version regarding the matrimonial differences and contended that the difficulties in the marriage were attributable, in substantial measure, to the conduct and interference of the petitioner's family members. She also denied the allegations concerning her conduct towards the petitioner and the child and maintained that she had participated in the medical treatment and adoption process and had discharged her responsibilities towards the child. In support of her defence, she produced and marked Ex.R1 to Ex.R9, which included the discharge summary relating to her mother, school-fees certificate and documents relating to certain sale, release and gift deeds.



CNR: KAHC010745102025

NC: 2026:KHC:44766-DB
MFA No. 8524 of 2025

9. On consideration of the pleadings of the parties, the Family Court framed the following points for determination:

- 1. Whether the petitioner proves that after solemnization of marriage, the respondent has treated the petitioner with cruelty?*
- 2. Whether the petitioner is entitled for a decree of divorce?*
- 3. What order?*

The Family Court answered Point Nos.1 and 2 in the Negative and Point No.3 in the Affirmative.

10. The Family Court, on appreciation of the evidence on record, found that the petitioner had failed to establish that the respondent had treated him with cruelty within the meaning of Section 13(1)(ia) of the Act. Though the petitioner had narrated several incidents and alleged that the respondent had behaved harshly towards him and his family members, the respondent had denied those allegations and placed her own version of the matrimonial



CNR: KAHC010745102025

NC: 2026:KHC:44766-DB
MFA No. 8524 of 2025

disputes before the Court. The Court found that the evidence, when considered as a whole, disclosed matrimonial differences and strained relations between the parties, but did not establish that the conduct of the respondent was of such nature or gravity as would amount to legal cruelty. The Court also noticed that the allegations were substantially founded upon the oral testimony of the petitioner and were not supported by sufficient independent evidence.

11. The Court further held that mere incompatibility, differences between the spouses or disputes concerning the family members cannot, by themselves, furnish a ground for dissolution of marriage unless the requisite cruelty is proved. Having regard to the entire matrimonial relationship and the circumstances brought on record, the Court was not satisfied that the petitioner had proved that it was no longer reasonably possible for him to live with the respondent on account of her conduct. Consequently, the Court answered Point No.1



CNR: KAHC010745102025

NC: 2026:KHC:44766-DB
MFA No. 8524 of 2025

relating to cruelty in the **Negative** and, as a necessary consequence, answered Point No.2 relating to entitlement to divorce also in the **Negative**. The petition under Section 13(1)(i-a) of the Hindu Marriage Act was accordingly dismissed, with no order as to costs.

12. Aggrieved by the said judgment and decree, the petitioner has preferred the present appeal before this Court, seeking to set aside the impugned judgment and decree and consequently to grant a decree of divorce on the ground of cruelty.

13. Learned counsel for the appellant/husband contends that the judgment and decree passed by the Family Court is not sustainable either in law or on facts and is liable to be set aside. It is urged that the Family Court failed to appreciate the oral and documentary evidence placed on record in its proper perspective and, consequently, arrived at an arbitrary and erroneous conclusion. According to the appellant, the evidence



CNR: KAHC010745102025

**NC: 2026:KHC:44766-DB
MFA No. 8524 of 2025**

adduced by him clearly demonstrated the cruelty and harassment suffered by him at the hands of the respondent, but the same has not been properly considered.

13.1. It is further contended that the Family Court failed to apply the principles laid down by the Hon'ble Supreme Court and this Court in catena of decisions with regard to cruelty. The appellant submits that the reasons assigned for dismissing M.C.No.90/2021 suffer from irregularity, inconsistency and non-appreciation of the material placed on record.

13.2. It is further contended that the conduct of the respondent had resulted in verbal and emotional abuse becoming a consistent feature of the matrimonial relationship, making cohabitation unbearable. According to the appellant, despite his efforts to preserve the marriage, the relationship had completely broken down and the Family Court failed to appreciate the cumulative effect of



CNR: KAHC010745102025

NC: 2026:KHC:44766-DB
MFA No. 8524 of 2025

the conduct complained of. The appellant also contends that the findings recorded by the Family Court are unjust and unreasonable and that the evidence adduced by him regarding the acts of cruelty has not been properly considered, resulting in miscarriage of justice. It is therefore urged that the Family Court committed a grave error in dismissing the petition and that the impugned judgment and decree is liable to be set aside and the appellant is entitled to the relief sought by him.

14. Learned counsel for the respondent/wife supports the impugned judgment and decree passed by the Trial Court.

15. Having regard to the rival submissions and upon consideration of the material on record, the point that arises for consideration in the present appeal is:

Whether the judgment and decree dated 12.09.2025 passed by the learned Principal Judge, Family Court, Hassan, in M.C. No.90/2021, dismissing the petition filed by the



CNR: KAHC010745102025

**NC: 2026:KHC:44766-DB
MFA No. 8524 of 2025**

appellant under Section 13(1)(i-a) of the Hindu Marriage Act, suffers from any illegality or infirmity warranting interference by this Court?

16. The petitioner in his evidence as PW-1, reiterated that the respondent had, throughout the matrimonial relationship, behaved in an indifferent, harsh and hostile manner towards him and his family members. According to him, she frequently picked up quarrels, used derogatory and abusive language and showed little regard either for him or for his family. He particularly complained of her conduct towards his mother and stated that she repeatedly insisted that he should establish a separate residence and sever his ties with his family. He further stated that, after the adoption of the child Trisha, the respondent's conduct became more difficult and that she created frequent disturbances in the matrimonial home, threatened to leave the house and, on occasions, left the child in his care. He also alleged that the respondent and her family members had conversations in which abusive



CNR: KAHC010745102025

**NC: 2026:KHC:44766-DB
MFA No. 8524 of 2025**

remarks were made against him and his family and that certain private documents of his mother and sister-in-law had been accessed without their consent.

17. The petitioner further deposed about the incidents which, according to him, occurred during 2019. He stated that the respondent became increasingly aggressive, particularly when he attempted to discuss the matrimonial differences with her. He alleged that during one such incident she left the child with him and went out of the house at night, causing him considerable anxiety. He also relied upon the strained relationship between the respondent and his mother and stated that the respondent's conduct had caused him continuous mental and emotional suffering. According to him, notwithstanding his efforts to maintain the relationship and to make arrangements for the respondent and the child, the respondent continued to behave in the same manner, making it impossible for him to lead a peaceful matrimonial life. He therefore maintained that the



CNR: KAHC010745102025

NC: 2026:KHC:44766-DB
MFA No. 8524 of 2025

cumulative effect of her conduct amounted to mental cruelty. The Family Court records that the petitioner's case was one of **mental cruelty**, and that he relied upon the various incidents narrated in his pleadings and chief-examination.

18. The respondent, while tendering evidence as RW-1, completely denied having treated the petitioner or his family members with cruelty. Her case was that the real difficulties in the marriage arose from the conduct of the petitioner and in particular, from the conduct of his mother. She stated that she was subjected to verbal, emotional and physical ill-treatment in the matrimonial home and that the petitioner's mother frequently abused her, interfered with the privacy of the couple and even made disparaging remarks regarding her inability to conceive. According to the respondent, she was compelled to remain awake until her mother-in-law went to sleep and, on several occasions, even the bedroom door was required to be kept open at the insistence of the



CNR: KAHC010745102025

**NC: 2026:KHC:44766-DB
MFA No. 8524 of 2025**

petitioner's mother. She alleged that she was repeatedly called barren and was subjected to humiliating and abusive language, which caused her considerable mental and emotional distress.

19. The respondent further alleged that the petitioner, initially supportive of her, gradually began siding with his mother and subjected her to cruelty at her instance. She stated that she had undergone fertility treatment and had fully cooperated with the petitioner in the decision to adopt the child Trisha. Even thereafter, according to her, the ill-treatment continued. She alleged that the petitioner's mother compared her with the wife of the petitioner's younger brother, made disparaging remarks about her family and, on several occasions, abused and assaulted her. She further alleged that the petitioner himself had assaulted her, including an incident when she was taken to a hotel in April 2019, and that the petitioner had recorded her private conversations without her knowledge. She also alleged that she and the child



CNR: KAHC010745102025

**NC: 2026:KHC:44766-DB
MFA No. 8524 of 2025**

were sent to her parental home, that the petitioner subsequently cut off communication with her, neglected her and the child and failed to provide them adequate financial support. She maintained that she had never behaved badly towards the petitioner and that, in fact, she and the child had been subjected to mental, physical, financial, emotional, verbal and sexual cruelty by the petitioner and his family.

20. Upon a careful perusal of the pleadings and the evidence adduced by both parties, it is evident that the allegations levelled by one party against the other are substantially countered by corresponding allegations from the opposite side. While the petitioner alleges that the respondent subjected him to mental and emotional cruelty, the respondent has, in turn, alleged that she was subjected to mental, physical, emotional and verbal cruelty by the petitioner and his family members. Thus, the evidence on record presents a case of mutual allegations and counter-allegations, with each party



CNR: KAHC010745102025

**NC: 2026:KHC:44766-DB
MFA No. 8524 of 2025**

attributing the failure of the matrimonial relationship to the conduct of the other. On an overall consideration of the evidence, it is difficult to accept the case of either party in isolation and the material on record indicates that the matrimonial relationship has, over a period of time, been marked by serious and irreconcilable differences between the parties.

21. All attempts made by the parties at reconciliation have failed. The nature of the allegations levelled by each party against the other, coupled with the evidence placed on record, clearly indicates that the matrimonial relationship has broken down. The parties have been living separately for more than six years, and there is no meaningful marital relationship subsisting between them. The emotional and physical bond of love, affection and companionship, which is the foundation of a matrimonial relationship, has been lost over a considerable period of time. In such circumstances, compelling the parties to



CNR: KAHC010745102025

**NC: 2026:KHC:44766-DB
MFA No. 8524 of 2025**

continue in a matrimonial relationship would serve no useful purpose.

22. We were initially reluctant to interfere with the order passed by the Family Court. However, having regard to the evidence led by both parties and the circumstances emerging from the record, we are of the considered view that the present case warrants an appropriate modification of the order. The parties have remained apart for more than six years and on an overall consideration of their respective allegations and the evidence adduced in support thereof, we are satisfied that the marriage has irretrievably broken down.

23. At the same time, the fact that the parties had jointly adopted the minor child, Trisha, in the year 2018, assumes considerable significance. The welfare of the child is of paramount importance and the child is required to be brought up in an atmosphere of love, affection, stability and emotional security. If there had been no adopted child



CNR: KAHC010745102025

NC: 2026:KHC:44766-DB
MFA No. 8524 of 2025

born into the care and responsibility of both parties, this Court may perhaps have been inclined either to allow or dismiss the appeal on the basis of the evidence available on record. However, having regard to the adoption of the child and the responsibility cast upon both parties towards her welfare, the matter requires to be viewed from a broader perspective.

24. The principles governing permanent alimony have also been reiterated by the Hon'ble Supreme Court in ***Manish Jain v. Akanksha Jain***¹. The Hon'ble Supreme Court has held that the financial position of the parents of the applicant/wife would not be material. While determining the quantum of maintenance, the Court must take into consideration the status of the parties and capacity of the spouse to pay for her or his support. Maintenance is dependent upon the factual situation. The court should mould the claim for maintenance based on

¹ (2017) 15 SCC 801



CNR: KAHC010745102025

NC: 2026:KHC:44766-DB
MFA No. 8524 of 2025

various facts brought before it. On the other hand, the financial capacity of the husband, his actual income, reasonable expense for his own maintenance and dependent family members whom he is obligated to maintain under the law, liabilities if any, would be required to be taken into consideration to arrive at the appropriate quantum of maintenance to be paid. The court must have due regard to the standard of living of the husband as well as spiralling inflation rates and high cost of living.

25. The plea of the husband that he does not possess any source of income *ipso facto* does not absolve him of his moral duty to maintain his wife if he is able bodied and as educated qualification. As per the decision of the Hon'ble Supreme Court in ***Reema Salkan v. Sumer Singh Salkan***² and ***Anju Garg and Others v. Deepak Kumar Garg***³, when the husband is able bodied, he has to work and pay maintenance to his wife and that

² (2019) 12 SCC 303.

³ SCC online SC 1314.



CNR: KAHC010745102025

NC: 2026:KHC:44766-DB
MFA No. 8524 of 2025

the Court, while determining maintenance, is required to strike a just balance between the competing considerations and arrive at an amount which is fair to both parties.

26. In the present case, the material on record indicates that the petitioner is employed and with Working as chartered accountant and is residing in Pennsylvania and office in India also.

27. This court vide order dated 31.07.2026 had passed the following order:

"Heard learned counsel for the parties.

It appears from the facts of the case, that there is hardly any scope to re-unite the parties, who have been living separately for the last eight years. The parties are present in person before this Court.

We have interacted with both the appellant as well as the respondent. It is brought to our notice that they have adopted a girl child by



CNR: KAHC010745102025

NC: 2026:KHC:44766-DB
MFA No. 8524 of 2025

name Trisha, who is now aged 8 years and she lives with the respondent/Mother.

We have suggested that an amount of Rs.1.00 Crore be kept in the Fixed Deposit, in the name of the daughter-Trisha, and out of the interest earned from the said amount, education and other expenses shall be met by the mother.

Considering the facts and circumstances of the case, we also suggest that the appellant shall continue to pay monthly maintenance of Rs.50,000/- to the wife till she gets re-married.

The appellant seeks for and is granted some time to get back on the suggestions of this Court.

Post this appeal on 19.08.2026.

Both the appellant and the respondent shall remain present before the Court on the next date of posting."

28. The petitioner is stated to be a Chartered Accountant and is working as an Associate Director with Cognizant Technology Solutions working and residing in



CNR: KAHC010745102025

**NC: 2026:KHC:44766-DB
MFA No. 8524 of 2025**

Pennsylvania and office in India also. Having regard to his status, occupation and the means available to him, we are of the view that he is financially capable of paying the aforesaid amount of permanent alimony and of discharging his continuing responsibility towards the adopted child.

29. Insofar as the custody of the adopted child Trisha is concerned, having regard to the circumstances of the parties and, above all, the welfare and best interests of the child, we deem it appropriate to entrust her custody to the respondent. The respondent shall take care of the child with utmost care, affection and responsibility and shall ensure her education, health, emotional well-being and overall development.

30. At the same time, the petitioner, being the adoptive father of the child, cannot be deprived of his relationship with the child. Therefore, if the petitioner intends to exercise visitation rights, the respondent shall



CNR: KAHC010745102025

**NC: 2026:KHC:44766-DB
MFA No. 8524 of 2025**

facilitate such visitation at reasonable intervals and in a manner conducive to the welfare and best interests of the child.

31. We further direct that, if any arrears of maintenance are payable by the petitioner pursuant to any order passed in other proceedings, the same shall be cleared by him within a period of one month from the date of this order.

32. Thus, having regard to the peculiar facts and circumstances of the case, the evidence placed on record by both parties, the prolonged period of separation, the absence of matrimonial companionship and, more importantly, having interacted with the parties and taken into consideration their status, circumstances and understanding of the matter, as well as the welfare and future of the adopted child, we are of the considered view that the interests of justice would be better served by moulding the relief rather than mechanically affirming or



CNR: KAHC010745102025

NC: 2026:KHC:44766-DB
MFA No. 8524 of 2025

setting aside the order passed by the learned Family Court.

33. Nevertheless, keeping in view the overall circumstances of the case, the status and earning capacity of the petitioner, the length of time during which the parties have been living separately and, more particularly, the responsibility of bringing up and securing the future of the adopted child, we deem it appropriate, in the interests of justice, to modify the order passed by the learned Family Court.

34. Accordingly, we direct the petitioner to pay a sum of Rs.**1,00,00,000/- (Rupees One Crore only)** towards the welfare and future of the adopted child. The said amount shall be deposited in the name of the child in any nationalised bank under the guardianship of the mother and shall be kept in interest bearing deposit. The interest accruing thereon should be utilised for the child's upbringing, education, medical expenses and other



CNR: KAHC010745102025

NC: 2026:KHC:44766-DB
MFA No. 8524 of 2025

essential requirements. The principal amount shall remain intact and shall be preserved for the benefit and future of the child, in accordance with law.

35. During the course of the arguments, learned counsel appearing for the respondent brought to the notice of this Court that she had challenged the order of the family court aggrieved by family court granting maintenance of Rs.35,000/- whereas the respondent had sought maintenance of Rs.75,000/- per month from the husband. However, by order dated 12.06.2025, this learned single judge of this Court was pleased to modify the maintenance amount and directed the appellant to pay a sum of Rs.50,000/- per month towards the maintenance of the respondent and the child, apart from a sum of Rs.30,000/- towards one-time litigation expenses and the educational expenses of the child.

36. It was further brought to our notice that, notwithstanding the said order, a sum of Rs.9,43,830/-



CNR: KAHC010745102025

NC: 2026:KHC:44766-DB
MFA No. 8524 of 2025

was due and payable by the appellant as on 31.07.2026 and that the balance amount has not been paid till date. Having regard to the aforesaid circumstances and the order passed by the learned Single Judge in W.P. No.17462/2024, we deem it appropriate to direct the appellant to continue to pay a sum of Rs.50,000/- per month towards the maintenance of the respondent until her remarriage.

37. This direction shall, however, be without prejudice to the rights and remedies available to the respondent for claim of permanent alimony. The respondent is also at liberty to initiate appropriate proceedings, in accordance with law, in the event the need so arises.

38. Accordingly, for the reasons stated hereinabove, we pass the following;

ORDER

- (i) The appeal is allowed in part;



CNR: KAHC010745102025

NC: 2026:KHC:44766-DB
MFA No. 8524 of 2025

(ii) The order passed by the learned Family Court is modified to the extent indicated above;

(iii) The decree of divorce is granted and the marriage between the parties solemnized on 18.08.2011 at Hassan, is hereby dissolved;

(iv) Petitioner is directed to pay a sum of **Rs.1,00,00,000/- (Rupees One Crore only)** towards the welfare and future of the adopted child. The said amount shall be deposited in the name of the child in any nationalised bank under the guardianship of the mother and shall be kept in interest bearing deposit. The interest accruing thereon should be utilised for the child's upbringing, education, medical expenses and other essential requirements. The principal amount shall remain intact and shall be preserved for the benefit and future of the child, in accordance with law;

(v) As per the order passed by the learned Single Judge in W.P. No.17462/2024, the petitioner is directed to



CNR: KAHC010745102025

**NC: 2026:KHC:44766-DB
MFA No. 8524 of 2025**

pay the remaining amount and to continue to pay a sum of Rs.50,000/- per month towards the maintenance of the respondent until her re-marriage.

(v) The parties shall abide by the terms and directions contained hereinabove.

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

**Sd/-
(H.SHANTHI BHUSHAN)
JUDGE**

KNM
List No.: 1 SI No.: 22