



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 4TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

WRIT PETITION NO.39215 OF 2025 (GM-FC)

BETWEEN:

MR. VINOD SHETTY,
AGED ABOUT 45 YEARS,
S/O LATE PRAKASH SHETTY,
R/AT 2-132, DOTA HOUSE,
KENJARU, MANGALURU,
D.K-574141.

...PETITIONER

(BY SRI. ADEESH P., ADVOCATE FOR
SRI.SACHIN B S.,ADVOCATE)

AND:

MRS. LAVANYA SHETTY,
AGED ABOUT 34 YEARS,
D/O LATE SATHISH RAI,
R/AT KATEEL SRI DURGA KRIPA,
NEAR MADHAVA NAIK COMPOUND,
SULTHAN BATHERI ROAD,
URVA, MANGALURU-575 006.

...RESPONDENT

(BY SRI. K RAVISHANKAR, ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF
THE CONSTITUTION OF INDIA PRAYING TO QUASHING THE
IMPUGNED ORDER DATED 28.10.2025 PASSED ON IA NO.9 IN

Digitally signed
by AASEEFA
PARVEEN
Location: HIGH
COURT OF
KARNATAKA



M.C. NO. 514/2024 PASSED BY THE PRINCIPAL JUDGE, FAMILY COURT, MANGALORE, AS PER ANNEXURE-A.

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

CORAM: HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

ORAL ORDER

Heard Siri.Adeesh who represents Sri.Sachin.B.S, learned counsel on record for the petitioner as well as Sri.K.Ravishankar, learned counsel for the respondent.

2. Seeking the Court to quash the order that is passed by the Court of Principal Judge, Family Court, D.K. Mangaluru on IA No.IX in MC No.514/2024 dated 28.10.2025, this writ petition is filed.

3. As the status of parties is not in dispute, they will hereinafter be referred to as husband and wife.

4. In the proceedings that are pending before the Court of Principal Judge, Family Court, D.K., Mangaluru in



MC No.514/2024, wife filed an interlocutory application i.e. IA No.IX seeking the Court to grant interim maintenance of Rs.1,00,000/- per month and Rs.50,000/- towards litigation expenses. Family Court directed the husband to pay wife a sum of Rs.20,000/- per month excluding Rs.15,000/- that was awarded as maintenance through orders in Crl.M.C.No.24/2025 pendente lite from the date of application till the final disposal of the said case.

5. Learned counsel who represents the petitioner/husband submits that it is the second marriage for both the parties. Husband begot a daughter through his first marriage. After marriage they lived together for considerable period. The marital bliss resulted in birth of a son named Master Viraj Shetty. Petitioner/husband provided all comforts to the respondent/wife. However, she left the matrimonial home without any reasonable cause. All efforts for reconciliation failed. Wife received a sum of Rs.15,00,000/- towards permanent alimony from her ex-husband. That apart she works in a college and



earns. Husband is always willing to look after all the requirements of his son. As directed by the Court through orders in G & WC case, petitioner/husband is paying a sum of Rs.15,000/- per month towards maintenance. As respondent/wife is an employee and as she is also getting Rs.15,000/- per month from the petitioner/husband towards maintenance, there is no requirement to pay any further amount. That apart respondent/wife maintains an account at United Overseas Bank and she suppressed that fact. She failed to disclose the fact of receiving permanent alimony from her ex-husband. Concealment of material facts itself disentitles her from receiving any sum towards maintenance. Therefore, Family Court ought to have dismissed her application filed for grant of interim maintenance, but it did not do so. Learned counsel thereby seeks to allow the writ petition and set aside the impugned order.

6. Stressing on the point that suppression of material facts disentitles a party to the relief claimed



learned counsel for the petitioner/husband relied upon the decision that is rendered by the High Court of Delhi in *Crl. Rev.P.No.917/2014, clubbed with Crl.M.A.No.28189/2024* between *Sahiba Sodhi and the State NCT of Delhi and Another*. Learned counsel also relied upon the decision of the High Court of Patna in the case between *Ravi Prakash Saxena and Priyanka Rani*, which is reported in *2025 SCC Online Pat 2793*.

7. The submission that is made by learned counsel for respondent/wife on the other hand is that petitioner/husband maintains various business establishments and has got vast movable and immovable properties. He has his business at Dubai too. The son born out of the lawful wedlock is being looked after by the respondent/wife and she is required to spend huge amount for the education and other expenses of that minor boy. Respondent/wife did not receive any permanent alimony from her ex-husband as contended by learned counsel for the petitioner/husband. So far as the



contention of learned counsel for the petitioner/husband about the account maintained at United Overseas Bank is concerned, respondent/wife indeed maintains such an account, but as the same is not in operation, she has not given the details of that account in her statement of assets and liabilities. Learned counsel also contended that though an order was passed in the case filed under Protection of Women from Domestic Violence Act, 2005 i.e., in CrI.M.C No.24/2025 directing petitioner/husband to pay Rs.15,000/- per month towards maintenance, there are huge arrears. Learned counsel further stated that the child needs a sum of Rs.40,000/- per month for his education, food, travelling and other allied expenses and that the amount granted towards maintenance therefore, is meager. Learned counsel also submitted that respondent/wife is not attending any work and she has no source of earnings and thus it is the liability of the petitioner/husband to maintain her as well as the child.



8. In the statement of assets and liabilities filed by respondent/wife she contended that petitioner/husband maintains 6 restaurants in Mumbai, Super Spa in Navi Mumbai, Commercial shop i.e., Unisex Salon at Mangaluru, 2 apartments at Mangaluru, 2 salons at Dubai, 5 photo studios at Dubai, a company at Dubai, a restaurant at Dubai, a car at Dubai, a sum of Rs.70,00,000/- as fixed deposit in Union Bank, one acre of land at Mangaluru, fixed deposit of Rs.2,37,40,000/- in ADCB Bank, Dubai and Future Point Travel and Tourism in Dubai.

9. During the course of submission, learned counsel who represents the petitioner/husband stated that his client earns a sum of Rs.4,25,000/- only per annum and the income tax returns submitted reveals said fact. However, when the statement of assets and liabilities filed by the petitioner/husband are meticulously gone through, it is found that as per his own version he spends on an average of Rs.1,25,000/- for electricity, maintenance, WiFi, water, cooking gas and phone bill. It is also



mentioned that he requires around Rs.16,518/- per month towards traveling expenses. Further there is a mention that he spends Rs.1,05,460/- per month for his personal life insurance. If this expenditure is taken into consideration, he spends around Rs.2,50,000/- per month. He mentioned that he takes food at hotel both in India and Dubai. The sum he spends for that purpose is not included. A person who earns around Rs.4,25,000/- per annum i.e., around Rs.35,500/- per month under no circumstances can spend a sum of Rs.2,50,000/- per month for himself. This itself goes to show that his version is far from truth. But petitioner/husband tries to escape from liability to maintain his wife and child by raising a ground that the wife has missed to show a single savings bank's account in her statement of assets and liabilities. Nowhere it is contended that he has taken care to raise his son born out of the lawful wedlock in the same status as he maintains himself. When the impugned order is gone through, it is found that the Family Court taking into



consideration the totality of facts and circumstances of the case and also the amount which the petitioner/husband was ordered to pay towards maintenance through orders in Crl.M.C No.24/2025, directed him to pay a sum of Rs.20,000/- per month for the maintenance of respondent/wife and the child. This Court does not find any reasons moreso convincing to interfere with the findings given or the conclusion arrived at. Hence, this Court ultimately holds that this writ petition lacks merits.

10. Resultantly, the following:

ORDER

The Writ Petition is *dismissed*.

**Sd/-
(DR.CHILLAKUR SUMALATHA)
JUDGE**