HC-KAR

NC: 2026:KHC:62630
WP No. 2491 of 2026

CNR: KAHC010053262026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 12TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO. 2491 OF 2026 (GM-FC)

BETWEEN:

MAMATHA S SHANKAR
W/O SRI. KIRAN BELLARY
AGED ABOUT 38 YEARS,
RESIDING AT NO.2/3,
NISARGA BDA ENCLAVE,
100 FEET RING ROAD,
BSK 3RD STAGE, 3RD PHASE,
5TH BLOCK,
BANGALORE-560 085

…PETITIONER

(BY SRI. GIREESHA R.J., ADVOCATE)

AND:

Digitally signed by SUVARNA T
Location: HIGH COURT OF KARNATAKA

SRI. KRAN BELLARY
S/O BHAGGANNA BELLARY
AGED ABOUT 46 YEARS,
RESIDING AT NO.42,
SECTOR NO.5, SHREE NAGAR,
BELAGAVI-590 016

CURRENTLY RESIDING AT
NO.B3-403, MARGOSA HEIGHTS,
MOHAMMEDWADI, HADAPSAR,
PUNE-411 060

…RESPONDENT

(BY SRI. DARSHAN R., ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO SET

ASIDE THE ORDER PASSED BY THE II ADDITIONAL FAMILY COURT, BENGALURU ON I.A. NO.2 DATED 03.11.2025 AND THE ORDER ON I.A. NO.5 DATED 03.11.2025 IN M.C. NO.5050/2016 (ANNEXURE-A) WHICH ERRONEOUSLY REJECTED THE PETITIONERS APPLICATIONS FOR INTERIM MAINTENANCE.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

ORAL ORDER

The petitioner is before this Court aggrieved by the order dated 03.11.2025 passed on I.A.No.2 in M.c.No.5050/2016 by the II Addl. Family Court, Bengaluru, whereby the Family Court had dismissed the application filed by the petitioner under Section 24 of the Hindu Marriage Act, 1955.

2. While dismissing the application, the Family Court had observed that there is no urgency in this petition as the petitioner has not pressed this application for about 8 years, 9 months, 23 days, though it is stated in her affidavit accompanying IA No.2 that she was in urgent need of interim maintenance, so also her subsequent application IA No.5 for the same relief, it can be safely concluded that viewed from any angle, application now does not deserve consideration.

3. The learned counsel appearing for the petitioner submits that the M.C. is of the year 2016 and that the Court, after 8 years, dismissed the application because it was not pressed by the petitioner. It is further submitted that the M.C. itself is now posted for judgment.

4. Having heard the learned counsel for the petitioner, perused the material on record. The whole purpose of granting interim maintenance is to take care of the needs of the party during the pendency of the proceedings. Now, the matter itself is posted for judgment. In these circumstances, no further orders are required to be passed on this writ petition, and, based on the party's entitlement to any other relief, the Family Court would pass the appropriate orders in the main MC itself. Accordingly, this Court is passing the following:

ORDER

i. Accordingly, the writ petition is ***disposed of***.

ii. Pending IAs., if any, shall stand closed.

SD/-
(LALITHA KANNEGANTI)
JUDGE

PKN
List No.: 1 Sl No.: 32