HC-KAR

NC: 2026:KHC:60925
WP No. 8204 of 2026

CNR: KAHC010180702026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 2ND DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO. 8204 OF 2026 (GM-FC)

BETWEEN:

KAUSIK K
S/O KUMAR.G,
AGED ABOUT 31 YEARS,
R/AT NO.21, 4TH CROSS,
SAIBABA NAGAR, SRIRAMAPURAM,
BENGALURU-560 021

...PETITIONER

(BY SRI. GOPAL SINGH, ADVOCATE)

AND:

1. S.PRATIKSHA
W/O K.KAUSHIK,
D/O SHEKAR NAIDU.K,
AGED ABOUT 25 YEARS,
R/A NO.14, KESHVA NILAYA,
P.S.LANE, RANASING PETE,
CHICKPET,
BENGALURU-560 053

2. KUMARI.K.MAHA SMRTI
D/O K.KAUSHIK,
AGED ABOUT 05 YEARS,
MINOR REPRESENTED BY
HER NEXT MOTHER OF
1ST PETITIONER AS
NATURAL GUARDIAN
R/A NO.14, KESHVA NILAYA,
P.S.LANE, RANASING PETE,

Digitally signed by SUVARNA T
Location: HIGH COURT OF KARNATAKA

CHICKPET,
BENGALURU-560 053

…RESPONDENTS

(BY SRI. GANESH G.G.,ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO CALL FOR THE RECORDS IN CRL. MISC NO. 824/2024 ON THE FILE OF THE HONORABLE V ADDL. PRL. JUDGE, FAMILY COURT AT BENGALURU.

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

Aggrieved by the order dated 26.12.2025 passed on I.A.No.2 in Crl.Misc.No.824/2024 by the V Addl. Principal Judge, Family Court at Bengaluru, the husband is before this Court.

2. For the sake of convenience, the parties are referred to as husband and wife.

3. The respondent herein, i.e., the wife, sought monthly interim maintenance of Rs.35,000/- and litigation expenses of Rs.20,00,000/-. The Family Court, by order

impugned directed the husband to pay monthly maintenance of Rs.10,000/- each.

4. The Family Court, while granting maintenance, observed that, on perusal of the entire material on record, at this stage, the Court is of the opinion that the wife and the child are entitled to monthly maintenance. Considering the respondent's avocation, the quantum of monthly expenditure alleged to have been incurred by the husband on his parents, sister, and the wife's responsibility to look after the child, the Court is of the opinion that the husband is directed to pay monthly interim maintenance of Rs.10,000/- each. The Court further observed that the wife and the child are entitled to monthly interim maintenance from the husband. At this stage, the Court is of the opinion that it is not proper to award litigation expenses. Since it is not a case where the husband has been paying monthly interim maintenance to the wife and the child from the date of separation, the Court has observed that the wife and child are entitled to monthly interim maintenance from 17.09.2024.

5. Learned counsel appearing for the petitioner/husband submits that, as per the statements of assets and liabilities, the husband's salary is Rs.45,000/-, and the Family Court granted Rs.20,000/- in maintenance to both the wife and the child. It is submitted that in fact after the statements of assets and liabilities were filed, his business was affected and he is not earning as stated earlier. It is further submitted that the Court without considering the fact that the wife had filed a complaint against the husband alleging that he had poisoned her, and that the criminal Court had rejected the said complaint, and all these aspects were not considered by the Family Court. It is submitted that the petitioner has other obligations and would not be able to pay Rs.20,000/- per month. Hence, the order needs to be modified.

6. Learned counsel appearing for the respondent/wife submits that according to the wife, the husband earns Rs.45,000/-, in fact he has other income and he is earning an income of Rs.3,50,000/- per month. It is submitted that though no documents were placed before the Family Court, the husband has sufficient income, and it is his duty to take care of

the wife and the child. All these aspects were considered by the Family Court, and the Court rightly granted an amount of Rs.10,000/- each. There are no grounds to interfere with the well-considered order passed by the Family Court.

7. Having heard the learned counsel on either side, perused the material on record. When the statements of assets and liabilities were filed and the evidence on record discloses that the husband is earning an amount of Rs.45,000/-, the Family Court ought not to have granted 50% of the income as maintenance to the wife and child. It is the case of the wife that the husband is earning Rs.3,50,000/-, and there is no material in that regard. In those circumstances, this Court is of the view that maintenance of an amount of Rs.7,500/- each to both the wife and the child would be appropriate in the facts and circumstances of the case. Accordingly, this Court is passing the following:

ORDER

i. The order dated 26.12.2025 passed on I.A.No.2 in Crl.Misc.No.824/2024 by the V Additional Principal Judge, Family Court, Bengaluru is ***modified*** and the maintenance of

an amount of Rs.10,000/- each granted by the Family Court is ***reduced*** to Rs.7,500/- each.

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

SD/-
(LALITHA KANNEGANTI)
JUDGE

PKN
List No.: 1 Sl No.: 56
*MR