HC-KAR

NC: 2026:KHC:59782
WP No. 10535 of 2026

CNR: KAHC010230822026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO. 10535 OF 2026 (GM-FC)

BETWEEN:

SMT. ARCHANA GANACHARI
W/O.GURUPRASAD S.R.
AGED ABOUT 43 YEARS
R/AT 308, HOYSALA SAI SHELTERS
23/1, D.RAJAGOPAL ROAD
SANJAYANAGARA
BANGALORE-560 094.

NOW AT
SGR LUXURY ROOMS
4TH FLOOR, NO401
BOMMASANDRA
BANGALORE-560 099

...PETITIONER

(BY SMT.PRAMILA NESARGI, SENIOR COUNSEL FOR
SMT. BINDU U., ADVOCATE)

Digitally signed by SUVARNA T
Location: HIGH COURT OF KARNATAKA

AND:

SRI. GURUPRASAD S.R.
S/O.LATE REVANNA
AGED ABOUT 47 YEARS
R/AT HMICRO INDIA PVT. LTD.,
26, 5TH CROSS ROAD, 5TH BLOCK
KORAMANGALA
BANGALORE-560 095

NOW AT
SYNAPTICS INDIA PVT. LTD.,

4TH FLOOR, 1C,
ECO SPACE UNIT, NO.402
OUTER RING ROAD, BELLANDUR
BENGALURU-560 103

…RESPONDENT

(BY SRI. ROOPESH KUMAR N.R., ADVOCATE)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO MODIFY THE IMPUGNED ORDER DATED 21.02.2026 PASSED IN MC NO. 1475/2017 ON THE FILE OF VTH ADDITIONAL PRINCIPAL JUDGE, FAMILY COURT AT BANGALORE ON IA NO.3 FILED UNDER SECTION 24 AND 26 OF HM ACT VIDE ANNEXURE A, BY AWARDING THE INTERIM MAINTENANCE FROM THE DATE OF APPLICATION TO THE PETITIONER AND 2 MINOR CHILDREN.

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

The present petition is filed seeking modification of the order dated 21.02.2026, passed in I.A.No.3 in M.C.No.1475/2017, by the Vth Additional Principal Judge, Family Court, at Bangalore, whereby the Family Court had granted maintenance of an amount of Rs.10,000/- each to the petitioner and two children from 31.07.2025 until disposal of the petition.

2. Learned Senior counsel appearing for the petitioner submits that when an application is filed seeking maintenance and an order is passed, it should relate back to the date of the application. But the Court cannot grant maintenance from the date of the order. It is submitted that no reasons are assigned by the Court, while granting maintenance from the date of the order. It is submitted that there are two children in the wedlock, one autistic and the other a cancer survivor. It is submitted that even as per the statement of the father, his take-home salary is Rs.2,50,000/-, apart from that, he is receiving an amount of Rs.1,00,000/- and odd towards rent. It is submitted that the Family Court's order restricting the order from 31.07.2025 cannot be sustained and is contrary to settled law and same needs to be modified.

3. There is no representation on behalf of the respondent. In fact, on 08.10.2026, there was no representation on behalf of the respondent. Again, on 17.10.2026, there was no representation on behalf of the respondent. Then this Court directed the matter to be listed on 28.10.2026. If there is no representation on the day, the order

will be passed on the merits of the matter. Today also, there is no representation on behalf of the respondent. It appears that the respondent is not interested to pursue the matter. Hence, this Court is inclined to consider the matter on its merits.

4. Having heard the learned Senior counsel representing the counsel for the petitioner, perused the material on record. The application seeking maintenance was filed on 16.03.2017, and the Family Court directed payment of maintenance from 31.07.2025. There is no basis for such a direction to pay the maintenance from 31.07.2025 when the application was filed on 16.03.2017. In the absence of cogent reasons, there is no basis for directing payment from 31.07.2025 and the orders requires interference at the hands of this Court. In that view of the matter, this Court is passing the following order:

ORDER

i. The order dated 21.02.2026, passed in I.A.No.3 in M.C.No.1475/2017, by the Vth Additional Principal Judge, Family Court, at Bengaluru, as far as directing the respondent to pay the amount from 31.07.2025 is concerned, is modified and the

awarded maintenance amount shall be paid from the date of application i.e., 16.03.2017.

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

iii. All I.As. in this petition shall stand closed.

SD/-
(LALITHA KANNEGANTI)
JUDGE

MEG
List No.: 2 Sl No.: 13
MR