
(2022) 08 KAR CK 0028
In the Karnataka High Court
Case No : Writ Petition No. 1492 Of 2021(GM-FC)

Rashmi H S

APPELLANT

Vs

Gautam Sameer

RESPONDENT

Date of Decision : 26-08-2022

Acts Referred:

Hindu Marriage Act, 1955 — Section 24

Citation : (2022) 08 KAR CK 0028

Hon'ble Judges : Krishna S.Dixit, J

Bench : Single Bench

Advocate : N Gowtham Raghunath, T S Satish

Final Decision : Disposed Of

Judgement

Krishna S.Dixit, J

1. Petitioner – wife is knocking at the doors of Writ Court grieving against order dated 07.12.2020 passed by the Principal Family Judge at Bangalore in the pending M.C. No. 2230/2014 whereby her application under Section 24 of the Hindu Marriage Act, 1955 having been favoured, the respondent – husband is directed to pay Rs. 5000/- to as monthly maintenance to her and make monthly deposit of Rs. 10,000/- in the name of their son Chi. Amogh G Sameer in any nationalized bank or post office. The complaint of the petitioner as alleged frugality of the sums fixed.

2. The respondent – husband having entered appearance through his counsel opposes the petition contending that the talks for amicable settlement are on and therefore, petitioner is not justified in hastily dragging him to the Court.

3. Both the sides having argued the matter at length are now in gracious agreement with the following arrangement:

(a) The respondent – father of the ward, shall pay the first installment of fees i.e., a sum of Rs.3,05,300/- (Rupees Three Lakh Five Thousand & Three

Hundred) only to the Symbiosis Law School at Hyderabad, forthwith, the last date for admission to the law course having expired yesterday;

(b) In the event the admission does not materialize, the respondent – husband will be entitled to receive back the said amount, should the college choose to refund the same with admissible deductions, if any.

(c) In the event of admission materializing, the respondent shall also pay the second installment of fees i.e., Rs.2,73,100/-(Rupees Two Lakhs Seventy Three Thousand & Hundred) only to the said college, within the prescribed period for such payment;

(d) Liberty is reserved to the petitioner to litigate about maintenance/alimony or on such other causes after and subject to the outcome of ongoing conciliation proceedings between the parties.

4. In the peculiar fact matrix of the case, this Court requests the Management of College to accept remittance of the fees towards intended admission of the ward, if made by the parties to the petition, by graciously condoning the delay if any, in the light of difficulties a student is put to because of estranged relationship of his parents.

With the above arrangement, this writ petition is disposed off costs having been made easy.

Nothing in this judgment shall be construed as imposing any obligation or the like on the college in question, which enjoys a great reputation in the realm of legal studies.

The Registrar General of this Court is directed to send by speed post a copy of this judgment to the Principal, Symbiosis Law School at Hyderabad, forthwith.