

**IN THE HIGH COURT OF KARNATAKA AT BANGALORE**

**DATED THIS THE 18<sup>TH</sup> DAY OF DECEMBER, 2013**

**PRESENT**

**THE HON'BLE MR. JUSTICE K.L.MANJUNATH**

**AND**

**THE HON'BLE MR. JUSTICE A.V.CHANDRASHEKARA**

**M.F.A. NO.6307/2013 (FC)**

**BETWEEN:**

SRI. P.M.POONACHA,  
AGED ABOUT 39 YEARS  
S/O LATE SRI, P.P. MUTHANNA,  
C/O M.P. SOMAIAH,  
NO.301, METTA RESIDENCE,  
KAMMANAHALLI MAIN ROAD,  
KALYAN NAGAR, BANGALORE-560043.

...APPELLANT

(By Sri: RAGHAVENDRA K. ADV.)

**AND**

SMT. SHIVANICHENGAPPA @  
SHIVANIPOONACHA,  
AGED ABOUT 32 YEARS,  
W/O SRI P.M. POONACHA,  
NO. MF3/34, NEW THIPPASANDRA,  
BANGALORE-560075.

... RESPONDENT

MFA FILED U/S 19(1) OF FAMILY COURT ACT PRAYING  
TO REVERSE AND SET ASIDE THE ORDER DATED 23.03.2012  
PASSED BY THE PRINCIPAL JUDGE, FAMILY COURT,

BANGALORE, IN M.C.NO. 3837/2012 ON HIS FILE DISMISSING THE PETITION FOR NON-COMPLIANCE WITH THE ORDER PASSED ON THE INTERLOCUTORY APPLICATION FOR PAYMENT OF PENDENTE LIT MAINTENANCE OF RS.10,000/- PER MONTH TO THE RESPONDENT AND FURTHER BE PLEASED TO ORDER THE RESTORATION OF THE PETITION TO FILE FOR BEING DISPOSED OF ON MERITS AND IN ACCORDANCE WITH LAW.

THIS APPEAL COMING ON FOR ORDERS, THIS DAY, **K.L.MANJUNATH, J.**, DELIVERED THE FOLLOWING:

**J U D G M E N T**

The appeal is dismissed as withdrawn with liberty to the appellant to avail other remedies available to him.

**Sd/-  
JUDGE**

**Sd/-  
JUDGE**

DM