



CNR: KAHC010184852026

NC: 2026:KHC:51397
WP No. 8426 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO. 8426 OF 2026 (GM-FC)

BETWEEN:

SMT. ASHA H MEHTA
W/O SRI HEMANTH B. MEHTA
AGED ABOUT 61 YEARS
NO.36, "ARIHANT" FIRST FLOOR,
71ST CROSS, V BLOCK RAJAJINAGAR,
BENGALURU-560 010

...PETITIONER

(BY SMT.ASHA H MEHTA- PARTY IN PERSON)

AND:

SRI. HEMANTH MEHTA
SON OF LATE SRI C.BHANWARLAL,
AGED ABOUT 64 YEARS,
NO.36, "ARIHANT" FIRST FLOOR,
71ST CROSS, V BLOCK, RAJAJINAGAR,
BENGALURU-560 010

...RESPONDENT

(BY SRI.V.B.SHIVAKUMAR, ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO CALL FOR THE ENTIRE RECORDS FROM V ADDITIONAL PRINCIPAL JUDGE, FAMILY COURT AT BENGALURU, PERTAINING TO ANNEXURE-A ORDER PASSED IN M.C.NO.2825/2007.

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



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CORAM: HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

ORAL ORDER

Aggrieved by the order dated 21.01.2026 passed in I.A.No.30 to 34 in MC No.2825/2007 by the V Additional, Prl. Judge, Family Court, Bangalore, the petitioner/wife is before this Court. Parties are referred to as husband and wife for the sake of convenience

2. This Court has a chequered history. The respondent filed a petition seeking divorce in the year 2007 after the case was dismissed for default. Later, miscellaneous petition was filed and the MC is restored and several others orders were passed by the High Court. Finally, by an order dated 05.07.2024, this Court directed the Family Court to pass appropriate orders in the pending MC within two weeks from the date of receipt of the copy of the order. In this case, when the matter was posted for judgment, at that point of time wife had filed IA's 30 to 34. The Court dismissed the applications by way of an elaborate order.



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3. This Court do not find any infirmity with the order passed by the Court. However, considering the age of the parties, the manner in which the litigation is being fought, and also looking at the order sheet, where equally both the petitioner and the respondent were absent on several occasions, and noting that the petitioner is a Party in Person. In these circumstances, this Court deems it appropriate to set aside the order and allow the IA on certain conditions. Accordingly, this Court is passing the following:

ORDER

- i. The order dated 21.04.2026 passed in I.A.No.30 to 34 in MC No.2825/2007 by the V Additional Judge, Family Court, Bangalore, is **set aside** and consequently the applications are **allowed**.
- ii. The Family Court shall dispose of this matter within a period of two months. The Family Court on 21.09.2026, fix the schedule for this case, i.e., spreading in a span of two months, giving all the dates for all the events to follow.



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- iii. The family Court shall not grant adjournment. If any of the parties are not cooperating for the disposal, the Court shall proceed with the next step.
- iv. This matter, being the oldest matter i.e., MC of 2007. If any of the parties approach this Court by filing a writ petition with the intention of dragging on the matter, exemplary costs will be imposed.
- v. Accordingly, the writ petition is ***disposed of.***
- vi. All pending I.As., in the petition shall stand closed.

SD/-
(LALITHA KANNEGANTI)
JUDGE

PKN
List No.: 1 Sl No.: 43