



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF JUNE, 2026

BEFORE

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

WRIT PETITION NO.12375 OF 2026 (GM-FC)

BETWEEN:

SRI. HRISHIVARDHAN,
S/O.MOODALAI AH,
AGED ABOUT 32 YEARS,
R/AT NO.4, 8TH CROSS,
JC NAGAR, MAHALAKSHMIPURAM,
BENGALURU-560086.

...PETITIONER

(BY SRI. MURTHY D. L., ADVOCATE)

AND:

SMT VIDYASHREE K
W/O.HRISHIVARDHAN
D/O.KRISHNAPPA,
AGED ABOUT 26 YEARS,
R/AT NO.234/6, 1ST MAIN,
4TH CROSS, NEAR BILVAPATHREE TREE
LAGGERE BENGALURU NORTH
PEENYA SMALL INDUSTRIES
BENGALURU-560058.

...RESPONDENT

(BY SRI. PRAVEEN KUMAR K., ADVOCATE FOR C/RESPONDENT)

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF
THE CONSTITUTION OF INDIA PRAYING TO CALL FOR THE

Digitally signed
by AASEEFA
PARVEEN
Location: HIGH
COURT OF
KARNATAKA



ENTIRE RECORDS IN M.C.NO.4657/2020 ON THE FILE OF THE PRINCIPAL JUDGE, FAMILY COURT BENGALURU AND QUASH THE ORDER PASSED ON I.A.NO.22 TO 24 DTD. 02.04.2026 AT ANNEX-G IN M.C.NO.4657/2020 ON THE FILE OF THE PRINCIPAL JUDGE, FAMILY COURT, BENGALURU AND CONSEQUENTLY TO ALLOW THE I.A. NO.22 TO 24 AT ANNEX-F TO F2.

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

CORAM: HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

ORAL ORDER

Heard Sri.Murthy.D.L, learned counsel for the petitioner as well as Sri.Praveen Kumar.K, learned counsel for the respondent.

2. This writ petition is filed seeking the Court to quash the order passed by the Court of Principal Judge, Family Court, Bengaluru on IA Nos.22/2026 to 24/2026 dated 02.04.2026.

3. Respondent herein filed MC No.4657/2020 on 25.11.2020 invoking Section 12(1)(c) of the Hindu



Marriage Act, 1955, seeking a decree of annulment of marriage that was said to have been happened between the petitioner and the respondent. Writ petitioner/respondent entered into appearance on 02.03.2022. Thereafter, enquiry was conducted and evidence was recorded. The matter was posted for arguments. At that time respondent herein filed petitions to recall Pw.1 for further chief examination and for production of documents. Those petitions were allowed and Pw.1 was further examined. Subsequently, petitioner/respondent filed IA No.17 for medical examination of respondent/petitioner. Said interlocutory application was dismissed through order dated 09.02.2026. Thereafter the matter was again posted for arguments. At that juncture, petitioner/respondent moved three interlocutory applications i.e. IA Nos.18 to 20 to reopen, recall Rw.1 for further chief examination and for production of additional documents. Those three interlocutory applications were allowed. Rw.1 was further



examined and Ex.R10 to Ex.R16 were marked. The petitioner/respondent then filed IA No.21 to examine three additional witnesses. The said interlocutory application was rejected and the matter was posted for arguments. Then petitioner/respondent filed three other interlocutory applications i.e. IA Nos.22 to 24. IA No.22 was filed seeking the Court to re-open the case. IA No.23 was filed to permit the petitioner/respondent to lead further evidence and IA No.24 was filed to permit the petitioner/respondent to produce documents and Samsung mobile handset. Those three interlocutory applications were dismissed through the impugned order and aggrieved by the same, this writ petition is filed.

4. Learned counsel for the petitioner submits that the petitioner and respondent fell in love and got married. Petitioner and respondent took several photographs while they were together. Those photographs clearly depicts that respondent was very happy with the petitioner and with consensus they married. To establish the stand taken by



the petitioner he is required to produce his mobile handset as well as the photographs. Therefore, petitioner moved IA Nos.22 to 24 seeking the Family Court to permit him to produce those documents, to recall Rw.1 for the purpose of marking of those documents. But Family Court without valid reasons dismissed those interlocutory applications and therefore, this writ petition is filed. Learned counsel thereby seeks to allow the writ petition and thereby quash the impugned order.

5. Per contra learned counsel for the respondent submits that the documents sought to be produced were indeed filed by the petitioner himself and they were got marked. That apart the case was filed in the year 2020 and whenever the matter is posted for arguments, the petitioner is filing one or the other interlocutory application so as to drag on the proceedings and such attempt is only to harass the respondent. Learned counsel submits that without justifiable cause, matter should not be reopened and witnesses should not be recalled.



6. On this aspect, learned counsel relies upon the decisions of the Hon'ble Apex Court in *SLA (C) Nos.12012-12013/2025* between *Shubhkaran Singh and Abhayraj Singh and Ors.*, the one that is reported in *2016 Supreme (SC) 587* between *Gayathri and M.Girish*, and which is reported in *2009 Supreme (SC) 357* between *Vadiraj Naggappa Vernekar (D) through Lrs. and others vs. Sharad Chand Prabhakar Gogate*. Also the decision of the High Court of Andhra Pradesh reported in *2023 3 CurCC 391* between *Battini Srinivas Rao and Konuri Venkata Chalapathi Rao and Ors.*, is relied upon.

7. Respondent herein, as per the material available on record, filed a petition on 25.11.2020 seeking a decree of nullity of marriage and the same is pending till now i.e., for more than 5 years. Record discloses that after closure of evidence on both sides and when the matter was posted for arguments petitioner herein filed IA Nos.18 to 20 to reopen the evidence, to recall Rw.1 for further chief examination and also for the purpose of producing



additional documents. Those three interlocutory applications were allowed and thereby Rw.1 was further examined and Exs.R10 to R16 were marked. Thereafter petitioner again filed another interlocutory application i.e. IA No.21 seeking the Court to permit him to examine three additional witnesses. The said petition was rejected and the matter was posted for arguments. Again petitioner filed IA Nos.22 to 24 to reopen the evidence on his side and to permit him to produce additional material. Those three interlocutory applications were dismissed through the impugned order. What prevented the petitioner to produce all the material over which he relies upon at the earliest is not stated in clear terms anywhere at least in the affidavits given in support of those interlocutory applications. Petitioner moved three interlocutory applications earlier i.e. I.A.Nos.18 to 20 to reopen the evidence on his side and to produce additional documents. At least during that time he should have filed the relevant documents, but he did not do so. That apart, the



impugned order makes it clear that even at the time of filing IA Nos.22 to 24, petitioner did not file the documents which he sought to produce and an observation to that effect is made at last but one paragraph of the impugned order. On a query posed by this court in that regard, learned counsel for the petitioner stated that while the Family Court was dictating the impugned order, counsel appearing for the petitioner placed before the Court those documents. Filing a petition seeking leave of the Court to produce additional documents without producing those documents itself is bad in law. That apart, record discloses that the Family Court with enormous amount of patience gave sufficient and ample opportunities to the petitioner to produce all his evidence oral and documentary. Petitioner failed to avail all such opportunities.

8. Matters before the Family Court are required to be disposed of time bound and as expeditiously as possible. If the parties to the proceedings are permitted to produce evidence at their whims and fancies there will be



no end to litigation. This Court does not find any reasonable grounds for entertaining IA Nos.22 to 24 by the Family Court. The impugned order is well reasoned. The stand taken by the Family Court cannot be interfered with as the petitioner failed to avail the given opportunities. Therefore, this Court is of the view that there are no merits whatsoever in this writ petition.

Resultantly, the writ petition is *dismissed*.

Sd/-
(DR.CHILLAKUR SUMALATHA)
JUDGE

NS
CT:TSM
List No.: 1 Sl No.: 20