



CNR: KAHC010659772026

NC: 2026:KHC:52526
WP No. 30236 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO. 30236 OF 2026 (GM-FC)

BETWEEN:

SMT. NIVEDITA REVANASIDDAIAH HIREMATH
W/O NISHANTH SACHITHANANDAM
AGE - 32 YEARS
R/AT NO. 837/11, 2ND MAIN,
A BLOCK, SARASWATHI NAGAR,
DAVANGERE - 577 005.

...PETITIONER

(BY SRI. SANTOSH S. NAGARALE, ADVOCATE)

AND:

SRI. NISHANTH SACHITHANANDAM
S/O. SACHITHANANDAM SUBRAMANIAM,
AGED ABOUT 34 YEARS,
R/AT NO.273, 2ND FLOOR, 16TH CROSS ROAD,
SECTOR-6, HSR LAYOUT,
BENGALURU - 560 102.

...RESPONDENT

(BY DR. SUDHINDRA BHAT, ADVOCATE)

THIS WP IS FILED UNDER ARTICLE 227 OF THE
CONSTITUTION OF INDIA PRAYING TO-QUASH THE ORDER
DATED 28.08.2026 PASSED IN IA NO.II BY THE HONBLE PRL.
FAMILY COURT JUDGE AT DAVANAGERE IN M.C.NO. 463/2025
ALLOWING THE RESPONDENT TO APPEAR THROUGH VIDEO
CONFERENCE DURING THE ENTIRE TRIAL INCLUDING



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SUBMISSION OF EVIDENCE AND CROSS EXAMINATION VIDE ANNEX-A AND CONSEQUENTLY SET ASIDE THE IMPUGNED ORDER ETC.

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

CORAM: HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

ORAL ORDER

The present writ petition is filed aggrieved by the order passed on IA No.2 dated 28.08.2026 in MC.No.463/2025 by the Principal Family Court, Davanagere.

2. The husband has filed MC No. 463/2025 seeking divorce in Bangalore. The wife sought a transfer, and the case was transferred to Davanagere. After the transfer, the husband filed IA No. 2 under Section 151 of the CPC, requesting the court to allow him to appear before the court via video conference throughout the trial, including the submission of evidence and cross-examination. That request was allowed by the impugned order. While allowing the application, the court relied on the judgment of the Hon'ble Apex Court in ***Santhini***



V. Vijaya Venketesh¹ and observed that recording evidence through video conferencing is a legally permissible course. The ratio of that decision squarely supports the petitioner's limited request for permission to participate in the present proceedings via video conference, particularly when the proceedings are being transferred to Davanagere for the convenience of the respondent, and the petitioner is now subjected to substantial hardship due to repeated long-distance travel. Accordingly, the Court allowed the application. Aggrieved thereby, the wife is before this Court.

3. Learned counsel appearing for the petitioner-wife submits that the husband has not stated any reasons that would warrant the Court in passing such an order. It is the case that, in the light of the allegations and counter-allegations made by the parties, unless the respondent-husband is available for physical cross-examination, the parties would not be able to elicit the correct facts, and the Court would also be unable to assess the demeanor of the witnesses. It is submitted that the impugned order needs to be set aside.

¹ (2018) 1 SCC 1



4. Sri.Dr.Sudhindra Bhat, learned counsel submits that he has instructions to file the vakalath on behalf of the respondent.

5. Learned counsel appearing for the respondent submits that, at the wife's behest, the matter is being transferred. She is working at a software company, and they are doing everything possible to delay the proceedings. If the evidence is not concluded at the earliest and as per the schedule, the respondent-husband will be forced to apply for leave, causing him significant hardship. It is submitted that, considering the applicable law, the court has rightly allowed the application. Further, he has also stated that there is a threat to his life. In those circumstances, the order passed by the Court is well considered, and no interference is called for.

6. Having heard the learned counsel on either side, perused the material on record.

7. There is no dispute about the fact that the procedure permits the parties to adduce evidence through videoconferencing, and it is also a fact that in matrimonial matters, in contested cases involving severe allegations made



against each other, it is very important that the party be available for cross-examination before the Court. This allows the Court to understand the demeanor of the witness and makes it easier for the other side to elicit the correct facts. The only ground on which the Court has transferred the matter is that, at the behest of the wife, the matter is transferred from Bangalore to Davanagere, and, considering the distance, the Court has passed such an order. The Court has to take appropriate steps to ensure that, in a time-bound manner, the evidence is completed and the husband is not put to inconvenience. For that, the solution is not to permit him to appear for cross-examination via video conference. Once the cross-examination is completed, on all other dates, he can appear online, unless and until the Court insists for mediation. For the remaining, he can appear via video conference. In those circumstances, this Court is passing the following:

ORDER

- i. The order dated 28.08.2026 is modified. The petitioner shall be physically present before the Court for the cross-examination.



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- ii. The Court shall fix the timeline for this and the petitioner has to co-operate with the same and if the petitioner is not able to complete the cross-examination, as per the schedule fixed by the Court, the cross-examination of the husband shall be recorded as concluded.
- iii. Except mediation, on all other dates, he is permitted to appear through video conferencing.
- iv. Accordingly, the writ petition is ***disposed of.***
- v. All I.A's in the petition shall stand closed.

SD/-
(LALITHA KANNEGANTI)
JUDGE

BH
List No.: 1 Sl No.: 7
MR