



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

**DATED THIS THE 10<sup>TH</sup> DAY OF JULY, 2026**

**BEFORE**

**THE HON'BLE MRS. JUSTICE P SREE SUDHA**

**WRIT PETITION NO. 35919 OF 2025 (GM-FC)**

**BETWEEN:**

MR. V R KUMAR  
S/O MR. V R VEERAPPA,  
AGED ABOVE 47 YEARS  
R/A NO. 777 AKSHYA,  
1<sup>ST</sup> FLOOR, 3<sup>RD</sup> CROSS,  
VINAYAKANAGAR A BLOCK,  
KONENA AGRAHARA,  
VIMANAPURA,  
BENGALURU-560 017.

...PETITIONER

(BY SMT. POORNIMA H S., ADVOCATE)

**AND:**

MRS. RAJESHWARI SOMASUNDARAM,  
W/O MR. V R KUMAR,  
AGED ABOVE 43 YEARS  
R/A NO. 777 AKSHYA,  
1<sup>ST</sup> FLOOR, 3<sup>RD</sup> CROSS,  
VINAYAKANAGAR A BLOCK,  
KONENA AGRAHARA,  
VIMANAPURA  
BENGALURU-560 017.

...RESPONDENT

(BY SRI. SURAJ SAMPATH, ADVOCATE)

THIS PETITION IS FILED UNDER ARTICLES 227 OF THE  
CONSTITUTION OF INDIA, PRAYING TO DIRECTION TO THE  
LEARNED II ADDL JUDGE, FAMILY COURT, BENGALURU TO  
DISPOSES OFF M.C.NO. 6930/2018 WITHIN A TIME FRAME OF  
3 MONTHS.

Digitally signed  
by  
PADMASHREE  
SHEKHAR  
DESAI  
Location: High  
Court of  
Karnataka



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

CORAM: HON'BLE MRS. JUSTICE P SREE SUDHA

**ORAL ORDER**

This writ petition is filed by petitioner/husband requesting this court to fix time frame of 3 months, to trial court in disposing the matter in MC No.6930/2018 filed by him for divorce on 21.12.2018.

2. Learned counsel for respondent filed the objections and also relied upon the citation passed by Hon'ble Supreme Court in Criminal Appeal No.3589/2023 reported in **SCC-2024-6-267** in case of **High Court Bar Association, Allahabad Vs State of UP** in which it is held as below,

*"32. Therefore, constitutional Courts should not normally fix a time-bound schedule for disposal of cases pending in any Court. The pattern of pendency of various categories of cases pending in every Court, including High Courts, is different. The situation at the grassroots level is better known to the judges of the concerned Courts. Therefore, the issue of giving out-of-turn priority to certain cases should be best left to the concerned Courts. The orders fixing the outer limit for the disposal of cases should be passed only in exceptional circumstances to meet extraordinary situations.*



*33. There is another important reason for adopting the said approach. Not every litigant can easily afford to file proceedings in the constitutional Courts. Those litigants who can afford to approach the constitutional Courts cannot be allowed to take undue advantage by getting an order directing out-of-turn disposal of their cases while all other litigants patiently wait in the queue for their turn to come. The Courts, superior in the judicial hierarchy, cannot interfere with the day-to-day functioning of the other Courts by directing that only certain cases should be decided out of turn within a time frame. In a sense, no Court of law is inferior to the other. This Court is not superior to the High Courts in the judicial hierarchy. Therefore, the Judges of the High Courts should be allowed to set their priorities on a rational basis. Thus, as far as setting the outer limit is concerned, it should be best left to the concerned Courts unless there are very extraordinary circumstances.*

*37 Constitutional Courts, in the ordinary course, should refrain from fixing a time-bound schedule for the disposal of cases pending before any other Courts. Constitutional Courts may issue directions for the time-bound disposal of cases only in exceptional circumstances. The issue of prioritising the disposal of cases should be best left to the decision of the concerned Courts where the cases are pending.”*

3. Learned counsel for respondent further relied upon another citation in case of **Sangram Sadashiv Suryavanshi Vs The State of Maharashtra** in case of **Crl.A.No.4758/2024** and connected matters dated **25.11.2024** in which it was held as below,



*(6) "47.3. Constitutional courts, in the ordinary course, should refrain from fixing a time-bound schedule for the disposal of cases pending before any other courts. Constitutional courts may issue directions for the time-bound disposal of cases only in exceptional circumstances. The issue of prioritising the disposal of cases should be best left to the decision of the courts concerned where the cases are pending;" (underline supplied)*

He also relied upon another citation in ***Bhaskar Laxman Jadhav and Others Vs Karmveer Kakasaheb Wagh Education Society and Others*** in Petition for Special Leave to Appeal No.30469/2009 dated 11.12.2012 for the same proposition .

4. Learned counsel for respondent also relied upon another citation in ***Rita Markandey Vs Surjit Singh Arora in Contempt Petition(Civil) No.286/1995 and civil 3056/1989*** dated 27.09.1996 in which it was held that filing false affidavit amounts to criminal contempt of court.

5. Further, he relied upon the judgment of contemporary judge in WP.No.19448/2015 dated 31.08.2021 in case of ***Dr.Praveen R., Vs Dr.Arptha*** in which it was held that perjury application cannot be deferred and it is to be decided on merits at the earliest point of time.



6. Heard the arguments of both sides

7. It is stated that during the pendency of the matter several interlocutory applications are filed and they were challenged before this court and the matters are remanded and both the parties have also filed complaints against each other and also for perjury. But when the trial court held that perjury application to be taken up along with the main petition, a review application is filed stating that it cannot be deferred, till the disposal of the main case. Apart from this divorce application wife also filed an application in Crl.Misc No.90/2020 under DV act. These two proceedings are pending between the parties.

8. Admittedly this divorce application is pending from 8 years and still trial is not commenced. Both the parties and the counsels are not cooperating with the court for disposal of the matter and now they are here to give direction to the court to dispose of the matter within the time frame.



9. Admittedly perjury application is to be decided first, and then the matter may be proceeded ahead. As such, at this stage, this court cannot fix any time frame.

Therefore, this writ petition is devoid of merits and is hereby ***dismissed***.

Both the counsel and parties are directed to cooperate with the trial court for disposal of the matter at an early point of time, as it is old matter of 2018.

**Sd/-  
(P SREE SUDHA)  
JUDGE**

AKV  
CT:NR  
List No.: 2 Sl No.: 43