HC-KAR

NC: 2026:KHC:59922
WP No. 32998 of 2026

CNR: KAHC010714912026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE K. V. ARAVIND

WRIT PETITION NO. 32998 OF 2026 (GM-CPC)

BETWEEN:

1. SEKHAR TANDA,
   AGED ABOUT 48 YEARS
   S/O LATE T.VEERABADRA RAO

2. JAYASREE TANDA
   AGED ABOUT 46 YEARS
   W/O SEKHAR TANDA

   BOTH ARE R/AT NO.41,
   2ND FLOOR, 3RD CROSS,
   ADUR ANNAYAPPA LAYOUT,
   KALKERE MAIN ROAD,
   RAMAMURTHY NAGAR,
   BENGALURU-560016

...PETITIONERS

(BY SRI. SUDESH KUMAR ACHARYA, ADVOCATE)

Digitally signed by VINUTHA B S
Location: High Court of Karnataka

AND:

1. VADIKA JATLA
   AGED ABOUT 36 YEARS
   W/O SRI. HARI PRASAD THOTA
   R/AT FLAT NO.3406 I FLOOR,
   ROAD NO.5 (WEST) VIDYUT NAGAR,
   NEW MIG, PHASE-II BHEL,
   HYDERABAD-502032, TELANGANA

R/AT NO.41, 1ST FLOOR, 3RD CROSS,
ADUR ANNAYAPPA LAYOUT,
KALKERE MAIN ROAD, RAMAMURTHY NAGAR,
BENGALURU-560016

…RESPONDENT

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO SETTING ASIDE THE IMPUGNED ORDER DATED 28.09.2026 PASSED IN IA.NO.10 IN O.NO.490/2025 ON THE FILE OF THE COURT OF THE CIVIL JUDGE AND JMFC, KRISHNARAJAPURAM, VIDE ANNEXURE-A.

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

CORAM: HON'BLE MR. JUSTICE K. V. ARAVIND

ORAL ORDER

1. The present petition challenges the order dated 28.09.2026 passed on I.A. No. 10, filed under Order XVI Rule 6 of the Code of Civil Procedure, 1908, whereby summons was issued to ICICI Bank, T.C. Palya Branch, directing it to produce the bank statement of the defendant's husband for the period from January 2010 to July 2026.

2. Learned counsel appearing for the petitioners submits that the plaintiffs are in no way related to the defendant and that the defendant is residing in the suit schedule property as a

tenant. The bank statement of the defendant's husband, which is sought to be summoned, is in no way relevant to the adjudication of the suit. It is further submitted that the Trial Court mechanically allowed the application without assigning any reasons. Unless the document sought to be summoned is relevant to the issues involved and has a direct bearing on the outcome of the suit, summoning such a document is impermissible.

3. Considered the submissions made by the learned counsel for the petitioners and perused the record.

4. The suit is instituted by the petitioners seeking a decree of injunction. The defendant has filed a written statement along with a counterclaim. A perusal of the pleadings in the written statement indicates that the suit schedule property was purchased out of the funds provided by the defendant while working abroad. It is the specific case of the defendant that the plaintiffs are not the exclusive owners of the suit schedule property, as funds were contributed towards its purchase by the defendant and her husband.

5. It is also relevant to note that the defendant and her husband are involved in a matrimonial dispute and that the defendant has the custody of a specially abled child. In the circumstances, ascertaining the flow of funds and tracing the source of the funds utilised for the purchase of the suit schedule property are necessary for considering the defence raised by the defendant. The defendant cannot obtain the bank statement in question merely by making a request to the bank. In that view of the matter, the Trial Court is justified in directing the bank to produce the bank statement. The said document is relevant for examining the flow of funds and determining the source of the funds utilised for the purchase of the suit schedule property.

6. This Court finds no error or infirmity in the impugned order warranting interference.

7. Accordingly, the writ petition is ***dismissed***.

Sd/-
(K. V. ARAVIND)
JUDGE

VP