HC-KAR

NC: 2026:KHC:61717
WP No. 33246 of 2026

CNR: KAHC010716362026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO. 33246 OF 2026 (GM-FC)

BETWEEN:

MR. KIRAN A.,
S/O T.L ANAND KUMAR,
AGED ABOUT 43 YEARS.
R/AT 1582/A, 30TH MAIN,
25TH CROSS, BANASHANKARI 2ND STAGE,
BENGALURU-560 070

...PETITIONER

(BY SRI. VINOD KUMAR M., ADVOCATE)

AND:

MS. KUSUMA B.,
W/O KIRAN. A,
AGED ABOUT 38 YEARS
D/O SH. BASAVARAJU
R/AT 1563, HEBBAL 2ND STAGE,
HEBBAL POST
MYSORE-570 017

...RESPONDENT

(BY SRI. KIRAN KUMAR B., ADVOCATE)

Digitally signed by SUVARNA T
Location: HIGH COURT OF KARNATAKA

THIS WP IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA, PRAYING TO SET ASIDE/ QUASH THE IMPUGNED ORDER DATED 01.10.2026 PASSED BY THE LEARNED 1ST ADDL. PRL. JUDGE FAMILY COURT, MYSURU IN CRL. MISC NO.584/2025 ANNEXURE-A AND DIRECT THE TRIAL COURT TO PERMIT THE PETITIONER TO FURTHER CROSS EXAMINE THE PW-1 RESPONDENT.

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

CORAM: HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

ORAL ORDER

Aggrieved by the orders passed in Crl.Misc.No.584/2025 dated 01.10.2026 by the 1st Addl. Principal Judge, Family Court, Mysuru, the husband is before this court.

2. The respondent/wife herein had filed Crl.Misc. No.584/2025 seeking maintenance. In that an application is filed under Order XVIII Rule 17 r/w Section 151 CPC praying to recall the wife for the purpose of further chief examination. The wife had seriously objected to the application on the ground that the husband had extensively cross-examined the wife. The family court on that ground had dismissed the application.

3. Learned counsel appearing for the petitioner/husband submits that if one opportunity is given without any delay, he would complete the evidence. It is submitted that the family court has not given the opportunity to the petitioner.

4. Learned counsel appearing for the respondent/wife submits that the petitioner/husband wants to delay the proceedings and he is taking unnecessary adjournments and the family court has rightly dismissed the application.

5. Having heard the learned counsel on either side, perused the entire material on record. Considering the fact that this Crl.Misc is of the year 2025 and once an opportunity is given to the petitioner, it would be in the interest of both the parties. It is also made clear that within 2 days from the next date of hearing, the petitioner shall conclude the entire evidence.

6. Accordingly, this Court is passing the following:

ORDER

i. The order dated 01.10.2026 passed in Crl.Misc.No.584/2025 is ***set aside*** and consequently, the application filed under Order XVIII Rule 17 R/w Sec.151 of CPC is ***allowed.***

ii. Within 2 days from the next date of hearing, the evidence shall be concluded.

iii. Accordingly, the writ petition is ***disposed of***.

iv. Pending IAs., in this petition shall stand closed.

SD/-
(LALITHA KANNEGANTI)
JUDGE

TS
List No.: 2 Sl No.: 22
*MR