



CNR: KAHC010537622026

NC: 2026:KHC:42577
WP No. 24556 of 2026



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 11TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

WRIT PETITION NO.24556 OF 2026 (GM-FC)

BETWEEN:

...PETITIONER

(BY SRI. GOWTHAM D., ADVOCATE FOR
SRI. MOHANKUMARA D.,ADVOCATE)

AND:



...RESPONDENT

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECTING THE LEARNED SENIOR CIVIL JUDGE AND JMFC., SORABA, TO EXPEDITE THE TRIAL AND DISPOSE OF M.C.NO.10 OF STIPULATED PERIOD OF ONE MONTH, VIDE ANNEXURE-D, IN THE 2026 WITHIN A INTEREST OF JUSTICE AND EQUITY.



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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.Gowtham.D who represents Sri.Mohan Kumar.D, learned counsel on record for the petitioner.

2. This writ petition is filed seeking following relief:

"WHEREFORE, the Petitioner most respectfully prays that this Hon'ble Court be pleased to issue a Writ of Mandamus directing the Learned Senior Civil Judge and JMFC, Soraba, to expedite the trial and dispose of M.C.No.10 of 2026 within a stipulated period of one month, vide Annexure-D, in the interest of justice and equity."

3. Learned counsel for the petitioner submits that writ petitioner is the husband of respondent. Petitioner initially filed a petition against the respondent seeking restitution of conjugal rights. Said petition was allowed and respondent/wife was directed to join the petitioner/husband. However, respondent did not join. On that,



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petitioner filed MC No.10/2026 seeking decree of divorce. The case is still pending before the trial Court. The case is posted for cross-examination of Pw.1. There is every requirement to order the trial Court to dispose of the matter expeditiously. Hence this writ petition is filed.

4. Material available on record reveals that MC No.10/2026 was filed by the petitioner on 06.03.2026. Thus the case is 5 months old. Within these 5 months, notice was issued to the respondent, respondent made her appearance through her counsel, matter was referred to mediation, mediator filed report that the matter was not settled, the request of the respondent to grant time to file statement of objections was rejected, the case was posted for evidence of petitioner, thereafter IA No.1 filed by respondent to receive objections was allowed on costs, objections were taken on record, petitioner filed his affidavit in lieu of chief examination, Ex.P1 to Ex.P3 were marked, the request of the respondent to grant time to cross examine Pw.1 was rejected, thereafter respondent



filed an application under Order 17 Rule 1 CPC and the same was allowed and subsequently, IA Nos. 2 and 3 filed by respondent were allowed on costs, the case was reopened, Pw.1 was recalled for cross-examination, Pw.1 was cross-examined by respondent, respondent filed her affidavit in lieu of her chief examination and when the counsel for the petitioner sought time to cross-examine Rw.1, granting time, the case was posted to 04.08.2026. The flow of proceedings is clear as per the certified copies of the proceeding sheets produced by the petitioner. Thus the trial Court is making all its efforts for disposal of the matter expeditiously. Therefore, this Court does not understand why the petitioner has filed this writ petition seeking a direction to the trial Court for expeditious disposal of the case filed by him.

5. Writ jurisdiction cannot be involved to give directions for expeditious disposal of cases which are pending before the Courts below without there being a justifiable or convincing cause. Directions to trial Courts



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exercising writ jurisdiction can only be given sparingly that too where absolute necessity in doing so are found. In the case on hand, this Court does not find any grounds whatsoever to issue a direction to the trial Court to deal with the matter in much speedy way. Therefore, this Court is of the view that there are no merits in this writ petition.

6. In several matters, where there are justifiable grounds and where there are delays in disposal of cases, High Court is giving directions to the trial Courts to take up those matters either on day-to-day basis or to dispose of them in a time-bound manner. In some of the cases even time limit is fixed. Furthermore directions are being issued to the trial Courts to submit reports regarding progress of the cases and the reasons for non disposal. Also when time limits are fixed and cases are not disposed within given time, trial Courts will be under obligation to submit requisitions seeking extension of time. Time is being extended accordingly giving further directions, if any required. In all such situations, trial Courts are being put



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under tremendous pressure. In those matters where directions are issued, even if the advocates does not come forward to conduct the cases or seek time on account of any reason what so ever or files interlocutory applications which require disposal before taking up main cases, the Presiding Officers of the Courts will undoubtedly become stressful and the very thought that they would be necessitated to file applications seeking the High Court to grant further time for disposal of the cases will sometimes make the judicial officers feel low or gloomy.

7. Judicial Officers cannot be overburdened by entertaining this kind of writ petitions and imposing rigid time limits for disposal of cases. Every Judicial Officer is a master of his/her Court. Each case is unique. Sometimes it may not fit within predetermined timelines. Time required for adjudication depends upon several factors of which cooperation of advocates and their willingness to assist the Court in securing timely, fair and meaningful justice ranks



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first. High Court cannot lay excessive emphasis on numerical disposal and pressurise for speedy adjudication of matters. We cannot make Judicial Officers compromise the quality and fairness in judicial decisions. Justice is not merely about speed. Judgments cannot be obtained by click of button. Reaching the correct and fair conclusion after due consideration of evidence is not an easy task. Judicial officers must have sufficient time to conduct trial, examine evidence, hear arguments and apply the law. No doubt unnecessary delay cannot be permitted. But at the same time one should remember that accountability can always be achieved only when there is freedom from undue pressure.

8. Whatever be the name we employ, working professionals cannot be bulldozed through unreasonable deadlines. Extraction of work by the controlling authority which ever be the organization, should ordinarily be like a sound from a musical instrument well played but never be like a sugarcane crusher where every drop is extracted



ruthlessly from all veins leaving the sweet cane shapeless, tasteless and useless.

9. In Judiciary, all undue pressure adversely affects the quality of justice. Therefore, the objective should be to eliminate avoidable delay while giving full freedom to the Judicial Officers to conduct Courts in a judicious way, allotting the time and space necessary for careful judicial consideration.

10. In the case on hand, the proceeding sheet reveals that the Presiding Officer of the Court of Senior Civil Judge, Soraba has dealt with the matter in a manner by which it has to be dealt with. When no reasons were found to adjourn the case, learned officer passed necessary orders in that regard. He rejected the request for grant of time where no necessity to do so was found. Also he has taken care to give fair opportunity to the parties where parties who invited adverse orders filed necessary interlocutory applications thereafter seeking fair



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opportunity. This Court therefore, appreciates Presiding Officer regarding the manner in which the proceedings are being held and the endeavour to dispose of the case in a time-bound manner.

11. Thus to conclude, having found no grounds to grant the relief claimed, the writ petition is *dismissed*.

**Sd/-
(DR.CHILLAKUR SUMALATHA)
JUDGE**

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CT:TSM
List No.: 1 Sl No.: 33