



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.12663 of 2026

Anuradha Chand

....

Petitioner

Ms. M. Mohapatra, Advocate

-versus-

Chandra Mohan Chand

....

Opp. Party

CORAM:

HON'BLE MR. JUSTICE MRUGANKA SEKHAR SAHOO

ORDER

05.05.2026

(Hybrid Mode)

Order No.

- 01.** **1.** Heard learned counsel for the Petitioner at length.

The Petitioner-wife in the marriage is before this Court challenging the order dated 25.03.2026 passed by the learned Judge, Family Court, Balasore rejecting prayer of the present Petitioner-wife in an application calling for certain documents from the employer of the husband-Petitioner in C.P. No.110 of 2018. The C.P. has been filed by the husband seeking grant of decree of divorce and dissolution of marriage under Section 13 of the Hindu Marriage Act.

- 2.** The application filed before the learned trial



Court calling for the records is annexed to the Writ Petition marked as Annexure-4, which discloses the documents sought for is regarding treatment of one Rahul Chand, who has been stated to be the son of the Opposite Party-husband.

3. Having gone through the order dated 25.03.2026 passed by the learned Judge, Family Court, apparently, the learned Court has dealt with the facts and question of law involved in their proper prospective which requires no interference.

4. The treatment records sought for are no way relevant for proving the allegations of the present Petitioner-wife who is the defendant that the Petitioner has married during subsistence of her marriage with him.

For proving another marriage during subsistence of the first marriage the defendant has to adduce primary evidence to prove factum of '2nd marriage' and not by alleging that husband has a child out of the 'second marriage'. From another prospective whether child is born from the relationship would not be relevant to prove the second marriage during subsistence of the first marriage.

5. The learned Family Court is correct in observing that the matter is pending for the last eight years and the defendant wife is yet to complete the cross



examination of the Petitioner.

6. Now, learned counsel for the Petitioner seeks and has adjournment.

7. Accordingly, the matter shall be listed in the week commencing 29th June, 2026 for 'Fresh Admission'.

(Mruganka Sekhar Sahoo)
Judge

Amit

Signature Not Verified

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