

Court No. - 88

Case :- APPLICATION U/S 482 No. - 18024 of 2023

Applicant :- Smt Shikha Yadav

Opposite Party :- State Of U.P. And 5 Others

Counsel for Applicant :- Niraj Tiwari

Counsel for Opposite Party :- G.A.,Yogendra Kumar Srivastava

Hon'ble Sanjay Kumar Singh,J.

Heard learned counsel for the applicant, learned Additional Government Advocate for the State/opposite party no.1 and perused the record. Mr. Yogendra Kumar Srivastava, learned Advocate, who has filed Vakalatnama on behalf of opposite party nos. 2 to 6 is not present.

By means of this application, the applicant has prayed for expeditious disposal of the proceeding of Misc. Case No. 804 of 2023 under Section 31 of Protection of Women from Domestic Violence Act arising out of order dated 17.11.2022 passed in Complaint Case No. 1925 of 2017, under Sections 18, 19, 20, 21, 22 of Protection of Women from Domestic Violence Act pending in the Court of Judicial Magistrate, Firozabad within stipulated period.

Main substratum of argument of learned counsel for the applicant is that the applicant is wife of opposite party no. 2. The proceeding under Section 18, 19, 20, 21, 22 of Domestic Violence Act was initiated by the applicant by means of Complaint No. 1925 of 2017, which was decided ex-parte vide order dated 17.11.2022 and execution proceeding is pending since 06.04.2023, in which notice has been served upon her husband but he is not appearing in the matter, therefore, case is being lingered-on.

Learned A.G.A. states that no useful purpose would be served in issuing notice to opposite party and keeping this application pending before this Court and it may be disposed of at this stage itself.

Considering the limited grievance of the learned counsel for the applicant, learned trial Court/Judicial Magistrate, Firozabad is directed to make an endeavour to decide the aforesaid case, as expeditiously as possible, preferably within a period of three months from the date a certified copy of this order is produced before it, if there is no legal impediment.

With the aforesaid directions, this application is disposed of.

Order Date :- 16.10.2023
Shubham