

Court No. - 1

Case :- MATTERS UNDER ARTICLE 227 No. - 7145 of 2023

Petitioner :- Sandhya Tiwari

Respondent :- Rajesh Kumar Tiwari

Counsel for Petitioner :- Kamal Kumar Singh, Dharnidhar Pandey

Hon'ble Jayant Banerji, J.

Heard learned counsel for the petitioner.

This petition has been filed seeking the following relief:

"i) Issue an order or direction, under 227 of the Constitution of India, direct the Principal Judge, Family Court, Maharajganj to decide the Matrimonial Case No. 633 of 2022, (Sandhya Tiwari Vs. Rajesh Tiwari) under Section 13 of Hindu Marriage Act, pending in the court of Principal Judge, Family Court, Maharajganj, within stipulated period granted by this Hon'ble Court."

It appears that a Matrimonial Case No. 633 of 2022 was filed in the court of Principal Judge, Family Court, Maharajganj by the petitioner seeking a decree of divorce which is stated to be pending since 2.12.2022. It is stated that general dates are being fixed in the matter.

A perusal of the order sheet reveals that the court is vacant.

Be that as it may, Section 21-B of the Hindu Marriage Act, 1955 specifically provides that all proceedings under the Act should be held on a day to day basis and effort should be made to conclude the proceedings as far as possible within six months from the date of service of the petition on the respondent.

In view of the aforesaid provisions of the Act, I am of the opinion that no further direction is required.

The petition is, accordingly, **disposed of.**

Order Date :- 31.10.2023

sfa/

(Jayant Banerji, J)