

Court No. - 1

Case :- MATTERS UNDER ARTICLE 227 No. - 7493 of 2023

Petitioner :- Tahir Hussain

Respondent :- Smt Taranum Bano

Counsel for Petitioner :- Bed Kant Mishra

Hon'ble Jayant Banerji,J.

1. Heard learned counsel for the petitioner.

2. This petition has been filed seeking the following reliefs:-

"(i). To issue an order or directing the Respondent decide the Suit No.589 of 2022 (Tahir Hussain Versus Smt. Taranum Bano) under Section 34 Specific Relief Act, 1963, for Decrees expeditiously within stipulated period prescribed by this Hon'ble Court.

(ii) Issue any other order or direction which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

(iii) To order for cost to the petitioner."

3. It is stated by the learned counsel for the petitioner that Suit No.589 of 2022 was filed by the petitioner under Section 34 of the Specific Relief Act and Section 7(d) of the Family Courts Act, seeking a decree that the plaintiff, on the basis of the facts stated in the suit, is entitled to get a declaration for talaq. It is contended that the suit was filed on 27.01.2022 but is not being decided. It is stated that the defendant has appeared and a written statement has also been filed, yet the issues have not been framed.

4. Given the facts and circumstances of the case, this Court is not inclined to interfere in the matter.

5. However, it is left open for the petitioner to move an appropriate application before the Family Court concerned for expeditious

disposal of the suit, which the court may consider.

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

Order Date :- 13.10.2023

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(Jayant Banerji, J.)