

Court No. - 88

Case :- APPLICATION U/S 482 No. - 35204 of 2023

Applicant :- Nikhil Mishra

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Ramesh Chandra Tiwari

Counsel for Opposite Party :- G.A.

Hon'ble Sanjay Kumar Singh,J.

Heard learned counsel for the applicant and learned Additional Government Advocate for the State/opposite party no.1 and perused the record.

By means of this application, the applicant has prayed for expeditious disposal of application dated 16.05.2023, under Section 91 Cr.P.C. filed by the applicant in Case No. 871 fo 2021 (Jyoti Mishra Vs. Nikhil Mishra), under Section 125 Cr.P.C. within a time bound frame.

It is submitted by learned counsel for the applicant that applicant is husband in a proceeding under Section 125 Cr.P.C. filed by the Opposite Party No. 2 which is still pending before the Principal Judge, Family Court, Varanasi. In which on 16.05.2023 applicant moved an application for calling TDS statement from the Income Tax Department which is still pending.

Learned AGA 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 is directed to make an endeavour to decide the aforesaid application, as expeditiously as possible, preferably within a period of 30 days 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 :- 18.10.2023

S.A.