

Court No. - 92

Case :- APPLICATION U/S 482 No. - 35799 of 2023

Applicant :- Smt. Kusum Devi

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

Counsel for Applicant :- Punya Sheel Pandey

Counsel for Opposite Party :- G.A.

Hon'ble Anish Kumar Gupta,J.

1. Heard Sri Punya Sheel Pandey, learned counsel for the applicant and Sri Satish Kumar Shukla, learned counsel for the State.
2. The instant application has been filed seeking direction for expeditious disposal of case no. 106 of 2022 (Smt. Kusum Devi Vs. Tirath Raj Tripathi), under Section 128 Cr.P.C., P.S. Soroan, district Allahabad, pending in the court of Additional Principal Family Judge, Court No.4, Allahabad.
3. Learned counsel for the applicant submits that the applicant is the wife of the opposite party no.2 and due to matrimonial discord she is residing separately from the opposite party no.2 and she has filed an application under Section 125 Cr.P.C., which was allowed vide order dated 06-01-2022 and since the opposite party no.2 failed to pay the maintenance as awarded by the learned Additional Principal Family Judge, the applicant has filed an application under Section 128 Cr.P.C. for execution of the order dated 06-01-2022 against the opposite party no.2, which is pending since 03-11-2022 due to non-cooperation of the opposite party no.2. Therefore, he has prayed for a direction for expeditious disposal of the said application under Section 128 Cr.P.C.
4. In view of the aforesaid submissions made by the learned counsel for the applicant, learned A.G.A. has no objection to any direction being passed by the Court for expeditious disposal of the said case.
5. Having regard to the totality of the circumstances of the case, it is directed that the Additional Principal Family Judge, Court No.4, Allahabad shall expedite the hearing of the case no. 106 of 2022 (Smt. Kusum Devi Vs. Tirath Raj Tripathi), under Section 128 Cr.P.C. and shall conclude the hearing of the said case and pass the final order expeditiously preferably within a period of six months from the date of production of certified copy of this order.

6. With the aforesaid observations, the instant application stands **disposed of.**

Order Date :- 21.11.2023
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