

Court No. - 93

Case :- APPLICATION U/S 482 No. - 36157 of 2023

Applicant :- Smt. Rubi Sharma

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

Counsel for Applicant :- Aadesh Kumar Srivastava

Counsel for Opposite Party :- G.A.

Hon'ble Arun Kumar Singh Deshwal,J.

1. Heard Sri Suneet Kumar Pandey, Advocate holding brief of Sri Aadesh Kumar Srivastava, learned counsel for the applicant, Sri Arbind Kumar, learned A.G.A for the State and perused the record.

2. The instant application under Section 482 Cr.P.C. has been filed to direct the Additional Principal Judge, Family Court No.5, Prayagraj to decide the Execution Case No.47 of 2022, under Section 128 Cr.P.C., P.S. Dhoomanganj, District Prayagraj pending in the court of the Additional Principal Judge, Family Court No.5, Prayagraj.

3. Contention of learned counsel for the applicant is that the proceeding under Section 128 Cr.P.C. is pending since 2022, till date it has not been concluded.

4. Considering the fact that the applicant is lady and despite the order under Section 125 Cr.P.C., she could not get the maintenance, therefore, the Additional Principal Judge, Family Court No.5, Prayagraj is directed to decide the Execution Case No.47 of 2022 (Smt. Rubi Sharma vs. Rakesh Kumar Sharma), under Section 128 Cr.P.C., P.S. Dhoomanganj, District Prayagraj expeditiously, preferably within a period of three months from the date of production of a copy of this order, in accordance with law.

5. With the aforesaid direction the application is **disposed of**.

Order Date :- 2.11.2023

A.Kr.