

Court No. - 1

Case :- MATTERS UNDER ARTICLE 227 No. - 10361 of 2023

Petitioner :- Brajraj Singh

Respondent :- Smt. Deepa Rani

Counsel for Petitioner :- Radhey Krishna Pandey, Manish Pandey

Hon'ble Jayant Banerji, J.

1. Heard learned counsel for the petitioner.

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

"i. issue an order or direction in the nature of mandamus directing the court below (Principal Judge, Family Court, Meerut) to decide the Case No. 1195 of 2018 (Old Case No. 335 of 2017) Brajraj Vs. Smt. Deepa, under section 13 Hindu Marriage Act, within stipulated period. Which is pending before the Principal Judge, Family Court, Meerut.

ii. issue any other order or direction in the nature as this Hon'ble Court may deem fit and proper in the circumstances of the case.

iii. allow the writ petition with costs in favour of the petitioner."

3. It appears that petition u/s 13 of the Hindu Marriage Act was filed by the petitioner in the court of the Principal Judge, Family Court, Saharanpur, which was transferred to the court of the Principal Judge, Family Court, Meerut. It is stated that petition is not being decided. It is further being stated that issues have been framed on 04.04.2023. It is contended that given the mandate of Section 21-B of the Hindu Marriage Act, a direction be issued to the Principal Judge, Family Court, Meerut to expedite the petition.

4. 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.

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

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

Order Date :- 8.12.2023

Vibha

(Jayant Banerji, J.)