

**Court No. - 83**

**Case :-** MATTERS UNDER ARTICLE 227 No. - 10431 of 2023

**Petitioner :-** Poosha Devi And Another

**Respondent :-** State of U.P. and Another

**Counsel for Petitioner :-** Pramod Kumar Pandey

**Counsel for Respondent :-** G.A.

**Hon'ble Surendra Singh-I,J.**

1. Heard Sri Pramod Kumar Pandey, learned counsel for the petitioners and learned A.G.A. for the State-respondents.

2. This instant petition has been filed under Article 227 of the Constitution of India for direction to the Principal Judge, Family Court, Ghazipur, for expeditious disposal of application u/s 128 Cr.P.C. of the petitioners dated 29.01.2020 in Criminal Misc. Case No. 547 of 2020 (Poosha Devi Vs. Jitendra Kumar Yadav) arising out of Criminal Misc. Case No. 629 of 2017 (Poosha Devi Vs. Jitendra Kumar) u/s 125 Cr.P.C.

3. Counsel for the petitioners states that Criminal Misc. Case No. 547 of 2020 (Poosha Devi Vs. Jitendra Kumar Yadav) has been registered on 29.01.2020. The case is pending for more than 3 years for disposal. Copy of the order sheet has been annexed as Annexure No.5 to this petition, in order to demonstrate that the case is not proceeding expeditiously.

4. Considering the fact that the aforesaid case relates to recovery of maintenance allowance, its expeditious disposal is necessary in the interest of justice.

5. In view of the facts and circumstances of the case, without expressing any opinion on the merits of the case, this petition is disposed of with the direction to the Principal Judge, Family Court, Ghazipur to decide the Criminal Misc. Case No. 547 of 2020 (Poosha Devi Vs. Jitendra Kumar Yadav) filed under Section 128 Cr.P.C as expeditiously as possible, preferably within a period of five months, from the date of production of a certified copy of this order, if there is no legal impediment.

**Order Date :-** 18.10.2023

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