

Court No. - 53

Case :- MATTERS UNDER ARTICLE 227 No. - 11030 of 2023

Petitioner :- Smita Pandey

Respondent :- Manjeet Dubey

Counsel for Petitioner :- Ashok Kumar Chaubey, Brijendra Kumar Pandey, Sachindra Kumar Pandey, Saurabh Mishra

Hon'ble Syed Aftab Husain Rizvi, J.

Heard learned counsel for the petitioner and learned AGA for the State.

This petition under Article 227 has been filed for a direction to the Principal Judge, Family court, Gorakhpur to decide the Suit no.890 of 2021 (Smita Pandey vs. Manjeet Dubey) under Section 125 Cr.P.C. within a stipulated period.

Learned counsel for the petitioners submitted that the maintenance case was filed on 09.04.2019 but till date the case has not been decided.

The matter pertains to maintenance under Section 125 Cr.P.C. The petitioner who are application has the remedy to move interim maintenance application.

In view of the above, this petition is ***disposed of*** with a direction to the Principal Judge, Family court, Gorakhpur to decide the Suit no.890 of 2021 (Smita Pandey vs. Manjeet Dubey) under Section 125 Cr.P.C. expeditiously. It is further directed that the petitioner may file an application for interim maintenance and if any such application is filed, the learned trial court shall decide it expeditiously and preferably within a period of six weeks after filing the interim maintenance application.

Order Date :- 24.11.2023

C. MANI