

Court No. - 90

Case :- APPLICATION U/S 482 No. - 39708 of 2023

Applicant :- Kausar Parveen And Another

Opposite Party :- State Of U.P.And Another

Counsel for Applicant :- Sanjeev Kumar Singh

Counsel for Opposite Party :- G.A.

Hon'ble Dinesh Pathak,J.

1. Heard learned counsel for the applicants, learned AGA and perused the record.
2. The present application has been filed beseeching the expeditious disposal of Execution Case No.1302 of 2022 (Kausar Parveen Vs. Dr. Mohammad Akmal), under Section 128 Cr.P.C., District Gorakhpur, pending in the court of Principal Judge Family Court, Gorakhpur.
3. It is submitted that the proceedings under Section 125 Cr.P.C. has been decided by order dated 22.9.2022, thereafter, present applicant has filed miscellaneous application under Section 128 Cr.P.C., which is pending since the date of its filing i.e. 03.12.2022. However, since then normal dates are being fixed for appearance of the opposite party no.2. Vide order dated 05.05.2023, service of notice upon opposite party no.2 has been treated to be sufficient. Vide order dated 07.06.2023, recovery warrant and arrest warrant have been issued against the opposite party no.2.
4. Learned AGA has no objection in case a direction is issued for early disposal of the aforesaid case within stipulated period as directed by this Court.
5. In this conspectus, as above, no useful purpose would be served to keep this matter pending, therefore, this Court deems it appropriate to finally dispose of the present application, without making any observation on the merits of the case as mentioned in the present application, with a direction to court concerned before whom the aforementioned case is pending disposal, to decide the same expeditiously, preferably, within a period of three months from the date of receipt of a certified copy of this order.

6. It is expected that the matter should be decided by a reasoned and speaking order, in accordance with law, without granting unnecessary adjournments to either of the parties.

7. With the aforesaid direction, present application is **disposed of**.

Order Date :- 16.11.2023

Mini