

Court No. - 90

Case :- APPLICATION U/S 482 No. - 39973 of 2023

Applicant :- Archana Pandey And Another

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

Counsel for Applicant :- Mohammad Yaseen

Counsel for Opposite Party :- G.A.

Hon'ble Dinesh Pathak,J.

1. Heard learned counsel for applicants, learned AGA and perused the record.

2. Applicants have invoked the inherent jurisdiction of this Court under Section 482 Cr.P.C., beseeching the expeditious disposal of Case No. 95 of 2023 filed on behalf of present applicants under Section 128 Cr.P.C., Police Station Sarnath, District Varanasi, pending in the court of Principal Judge, Family Court, Varanasi.

3. It is submitted that application for maintenance under Section 125 Cr.P.C. filed on behalf of present applicants has been finally decided by order dated 24.09.2019 (Annexure-2). In pursuance of the said judgment dated 24.09.2019 present applicants have moved an application dated 23.01.2023 under Section 128 Cr.P.C. which is pending consideration since the date of its filing. Till date no fruitful steps have been taken to decide the same expeditiously.

4. Learned AGA has no objection in issuing a direction to the learned court concerned to decide the application within a 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 the learned court below concerned, before whom the aforementioned Case No. 95 of 2023 filed on behalf of present applicants under Section 128 Cr.P.C., Police Station Sarnath, District Varanasi is pending consideration, to decide the same expeditiously, preferably, within a period of 10 months from the date of receipt of a certified copy of this order.

6. It is expected that learned trial court shall take all stringent steps

as provided under the law to decide the aforesaid matter within stipulated period as directed above.

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

Order Date :- 4.12.2023

Md Faisal