

Court No. - 93

Case :- APPLICATION U/S 482 No. - 43374 of 2023

Applicant :- Sheetal

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

Counsel for Applicant :- Brijendra Pratap Singh

Counsel for Opposite Party :- G.A.

Hon'ble Manoj Bajaj,J.

1. Applicant has approached this Court under Section 482 Cr.P.C. seeking directions for expediting the proceedings of Case No.216 of 2022 (Sheetal vs. Sonu) under Section 125 Cr.P.C.

2. Learned counsel submits that the petitioner being wife has been neglected by the husband and her claim for maintenance is pending for a long time, therefore, it would be in the interest of justice, if the pending proceedings are directed to be concluded in a specific time frame.

3. During the course of hearing, learned counsel has drawn the attention of the Court to the zimni orders passed by the trial court and a perusal of the same would show that after service, the opposite party appeared on 22nd August, 2022, and the objections were filed on 15.5.2023 and it shows that it is not a case of inordinate delay in adjudication. Apart from this, the zimni orders would reveal that the case is being adjourned on multiple grounds including the request made on behalf of the applicant, therefore, it is not a case where the delay can be attributed to the opposite party.

4. Recently, the Hon'ble Supreme Court has made observation in the order dated 10.11.2023 passed in Writ Petition(s) (Criminal) No. 587 of 2023, titled ***Shaikh Uzma Feroz Hussain Vs. The State of Maharashtra*** that the constitutional court should not in a routine manner fix a time frame for a pending case before trial court for its conclusion in a specific time frame.

5. Considering the facts and circumstances of the case, this Court does not find any extra-ordinary ground to accept the prayer. This application is, accordingly, dismissed.

Order Date :- 28.11.2023

LN Tripathi