

Court No. - 44

Case :- MATTERS UNDER ARTICLE 227 No. - 12482 of 2023

Petitioner :- Nitin Nigam

Respondent :- Ragini Mishra And Another

Counsel for Petitioner :- Anuj Bajpai

Hon'ble Ashutosh Srivastava,J.

1. Heard Shri Anuj Bajpai, learned counsel for the petitioner.
2. Considering the nature of the order proposed to be passed notice upon the private respondents is hereby dispensed with.
3. Present petition, under Article 227 of the Constitution of India, has been filed seeking direction to the Additional Principal Judge, Family Court II Ghaziabad, to decide the Suit No. 115 of 2022 (Nitin Nigam Vs. Ragini Mishra and another), within the time stipulated by this Court.
4. Learned counsel for the petitioner submits that the Suit under Section 25 of the Indian Gaurdian and Wards Act, 1890 for the Gaurdianship and Custody of the Minor Mastar Atharv Nigam, is pending consideration since the year 2022, and the purpose of filing present petition shall stands served if the appropriate directions are issued to the Additional Principal Judge, Family Court II Ghaziabad, to conclude and decide the Suit pending since 2022, within the time frame fixed by this Court. It is further submitted that the parties to the proceedings has appeared and filed Written Statements.
5. Considering the fact that the aforesaid Suit, is pending consideration, before the Additional Principal Judge, Family Court II Ghaziaba, since 2022, this Court is also of the opinion that no useful purpose would be served by keeping the writ petition pending and the same is accordingly ***disposed off*** by requiring the Additional Principal Judge, Family Court II Ghaziabad, seized with the Suit No. 115 of 2022 (Nitin Nigam Vs. Ragini Mishra and another), to consider and decide the case expeditiously, preferably within a period of **six months**, from the date of production of certified copy of the order of this Court, strictly in accordance with law, without granting unnecessary adjournments to either of the parties.

Order Date :- 7.12.2023

Deepak/