

Court No. - 4

Case :- MATTERS UNDER ARTICLE 227 No. - 12602 of 2023

Petitioner :- Smt. Jyoti Jaiswal

Respondent :- Chandra Bhushan Jaiswal

Counsel for Petitioner :- Arvind Kumar Singh

Hon'ble Prakash Padia,J.

1. The petitioner has preferred present petition inter-alia with the prayer to direct the Additional Principal Judge, Family Court No.5, Allahabad to decide the Matrimonial Case No.144 of 2023 (Smt. Jyoti Jaiswal Vs. Chandra Bhushan Jaiswal).

2. A prayer has been made by counsel for the petitioner to direct the court below to fix short dates in the matter in view of the provisions contained under Section 21-B of the Hindu Marriage Act, 1955, which reads as follows :-

"21B Special provision relating to trial and disposal of petitions under the Act-

(1) The trial of a petition under this Act shall, so far as is practicable consistently with the interests of justice in respect of the trial, be continued from day to day until its conclusion unless the Court finds the adjournment of the trial beyond the following day to be necessary for reasons to be recorded.

(2) Every petition under this Act shall be tried as expeditiously as possible and endeavour shall be made to conclude the trial within six months from the date of service of notice of the petition on the respondent.

(3) Every appeal under this Act shall be heard as expeditiously as possible, and endeavour shall be made to conclude the hearing within three months from the date of service of notice of appeal on the respondent."

3. In the facts and circumstances of the case, the present petition is disposed of directing the court concerned to decide the aforesaid matrimonial case *expeditiously by fixing short dates strictly in accordance with law* and without granting unnecessary adjournment unless there is no legal impediment.

Order Date :- 8.12.2023

Pramod Tripathi