

Court No. - 83

Case :- APPLICATION U/S 483 No. - 1514 of 2023

Applicant :- Mohammad Saleem

Opposite Party :- State Of U.P. And 2 Others

Counsel for Applicant :- Noor Mohammad, Afzal Husain

Counsel for Opposite Party :- G.A.

Hon'ble Ram Manohar Narayan Mishra, J.

Heard learned counsel for the applicant and learned A.G.A. for the State.

This Application under Section 483 Cr.P.C. has been filed by the applicant with a prayer to direct the court below to hear and decide the Case No. 940 of 2023 (Mohd. Saleem vs. Smt. Shahina Bano and another) under Section 126 Cr.P.C., pending before Principal Judge, Family Court-I, Jaunpur expeditiously within stipulated time.

Learned counsel for the applicant states that he is applicant in Misc. Case No. 940 of 2023 wherein he has application to set aside the judgement dated 27.9.2022. The opposite party has put in appearance in said maintenance case, hence, a direction may be issued to the court below to decide the same expeditiously.

Per contra, learned AGA submitted that after passing of judgement dated 27.9.2022 in maintenance case under section 125 Cr.P.C., applicant has filed Misc. Case under section 126 Cr.P.C. in which opposite party has put in appearance on 24.4.2023. However, applicant has been seeking adjournment. He further submitted that from ordersheet dated 16.10.2023 it appears that in said misc. case, statements of both side were heard on that date, case is fixed for order on 19.10.2023.

It is directed that court below shall make all endeavour to decide this case expeditiously preferably within a period of two months from the date of production of certified copy of the order, without permitting undue adjournments to either side, if there is no legal impediment.

With this direction, this application is disposed of.

Order Date :- 8.12.2023

Dhirendra/