

Court No. - 8

Case :- WRIT - C No. - 8794 of 2023

Petitioner :- Rahul Kumar Rai

Respondent :- Principal Judge Family Court, Lko.
And 2 Others

Counsel for Petitioner :- Amit Arora

Hon'ble Pankaj Bhatia,J.

Heard learned counsel for the petitioner, Sri Ajay Madhavan, learned counsel for the respondent no. 3 and perused the material available on record.

The present writ petition has been filed by the petitioner with the followings prayers:

"a. issue a writ, order or direction in the nature of certiorari quashing the order dated 18.09.2023 and order passed by the Principal Judge, Family Court, Lucknow on the administrative side.

b. issue a writ, order or direction in the nature of mandamus imposing an enquiry in respect of the missing statement dated 20.02.2023 of the D.W. 1 from the office records of the Regular Suit No. 3210 of 2015 (Major Rahul Rai Versus Shikha Rai) pending disposal in the Court of respondent no. 2.

c. issue a writ, order or direction in the nature of mandamus for the transfer of the Regular Suit No.3210 of 2015 (Major Rahul Rai Versus Shikha Rai) pending disposal in the Court of respondent no. 2 the matter from the Court of respondent no. 2 to any other Court.

d. issue a writ, order or direction in the nature of mandamus directing the Court below to recall the respondent no. 3 and allow the plaintiff to re-examine the respondent no. 3 again in the Regular Suit No. No.3210 of 2015 (Major Rahul Rai Versus Shikha Rai) pending disposal in the Court of respondent no. 2.

e. issue a writ, order or direction in the nature of mandamus directing the Court below to conduct

day to day hearing in the Regular Suit No. No.3210 of 2015 (Major Rahul Rai Versus Shikha Rai), till the conclusion of the same, pending disposal in the Court of respondent no. 2.

f. allow the present writ petition with cost and special cost throughout.

g. such other orders or directions which this Hon'ble Court may deem fit and proper and necessary in the circumstances of the case in favour of the petitioner may kindly be passed against the respondents."

The counsel for the respondent states that final argument has already been advanced by the parties.

In view thereof, I do not see any reason to interfere in the proceedings. The Court below is directed to conclude the hearing and pass the order within one month from today.

The parties would be at liberty to take all the grounds when the matter is finally decided while preferring the appeal.

With the aforesaid observation and direction, this writ petition stands ***disposed of.***

Order Date :- 11.10.2023

Arun