

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5241 of 2023

Petitioner :- Sachin Kumar Mishra

Respondent :- The Learned Principal Judge, Family Court, Sultanpur And Another

Counsel for Petitioner :- Vyas Narayan Shukla

Hon'ble Saurabh Lavania,J.

Heard.

In view of order proposed to be passed, issuance of notice to the private-respondent(s) is hereby dispensed with.

By means of present petition, the petitioner has approached this Court for expeditious disposal of Original Suit No.923 of 2020 under Section 9 of the Hindu Marriage Act, 1955 (in short "Act of 1955"), which is pending before the opposite party No.1.

Taking note of the facts as indicated in the present petition as also that in the suit notice was issued to respondent on 18.11.2020 and respondent has put in appearance, as appears from the order dated 16.07.2022 but till date the written statement has not been filed as also Section 21-B of the Act of 1955 which says that the Trial Court shall make all endeavour to conclude the trial within a period of six months from the date of service of notice of the petition on the respondent, this Court is of the view that no fruitful purpose will be served in keeping this petition pending.

Accordingly, present petition is disposed of with direction to respondent No.1-Principal Judge, Family Court, District-Sultanpur to consider and decide the Original Suit No.923 of 2020, most expeditiously, after affording full opportunity of hearing to the parties to the litigation and without granting any unnecessary adjournment to either party preferably within a period of six months from the next date fixed in the case, if possible and if there is no other legal impediment in this regard.

It is made clear that the Court has not examined the case of either of the parties on merits and the authority concerned shall be free to decide the matter strictly in accordance with law.

With the aforesaid observations, the petition is **disposed of.**

Order Date :- 16.10.2023/Vinay/-