

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5277 of 2023

Petitioner :- Akhand Pratap Singh

Respondent :- Addl. Principal Judge Court No-6 Family Court, Lko. And Another

Counsel for Petitioner :- Suresh Chandra Pandey

Hon'ble Saurabh Lavania,J.

Heard learned counsel for the petitioner.

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

By means of this petition, the petitioner has sought the following main relief:-

"1. Issue a direction or order to Expedite the case no. 1703 / 2022 u/s 13 of Hindu Marriage Act 1955 Akhand Pratap Singh vs Arya singh, pending before the Hon'ble Addition Principal Judge -6 Family Court Lucknow (opposite party no. 1). "

Considering the Certificate No. 1548 of 2014 dated 26.09.2014 issued from the Office of the Chief Medical Officer, Lucknow annexed as Annexure No. 3 to this petition, wherefrom, it can be deduced that the petitioner is 75% permanent physically disabled as also taking note of the provisions of Section 21(B) of Hindu Marriage Act, 1955 (in short "Act of 1955"), which says that every petition under the Act of 1955 should be decided preferably within a period of six months and the observations made by this Court in the judgment dated 27.02.2020 passed in **MATTERS UNDER ARTICLE 227 No. 1611 of 2020 (Neeti vs. Sanjay Kumar Shukla)**, the present petition is disposed of with a direction to the Court concerned/respondent No.1 to consider and decide the Case No. 1703/2022 (Akhand Pratap Singh vs Arya singh) filed under Section 13 of the Act of 1955 expeditiously after affording full opportunity of hearing to the parties to the litigation and without granting any adjournment to either party, if there is no other legal impediment in this regard.

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

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

Order Date :- 16.10.2023/Arun/-