

Court No. - 13

Case :- MATTERS UNDER ARTICLE 227 No. - 5654 of 2023

Petitioner :- Smt. Afroz Jahan

Respondent :- Firoz Ahmad

Counsel for Petitioner :- Amitabh Banerjee

Hon'ble Karunesh Singh Pawar,J.

Heard learned counsel for the petitioner.

Notices to respondent are dispensed with in view of the proposed order.

By this petition, the petitioner has prayed for the following relief:-

issue an order or direction in the appropriate nature commanding the learned Family Court, i.e. Principal Judge, Family Court, Gonda, to decide the Criminal Case No.3 of 2022; Afroz Jahan Versus Firoz Ahmad, under section 125 (3) Cr. P.C., pending before it, expeditiously, preferably within a period of three months.

Learned counsel for the petitioner submits that the petitioner is wife of respondent and for maintenance, she filed an application under Section 125 Cr.P.C. which was decided vide order dated 30.08.2018 in case No. 195/2015. Thereafter, for execution of the order dated 30.08.2018, the petitioner has filed an application under Section 125 (3) Cr.P.C. He further submits that till date, the said application could not be decided.

Learned counsel for the petitioner prays that the Principal Judge, Family Court, Gonda, be directed to decide Case No.3 of 2022; Afroz Jahan Versus Firoz Ahmad, under section 125 (3) Cr. P.C, in a stipulated time period.

Learned AGA has no objection to this innocuous prayer.

On due consideration to the innocuous prayer made by the petitioner, the petition is disposed of directing Principal Judge, Family Court, Gonda, to expedite the aforementioned criminal case within a period of three months from the date of production of certified copy of this order.

Order Date :- 6.11.2023

R.C.