

Court No. - 13

Case :- MATTERS UNDER ARTICLE 227 No. - 5669 of 2023

Petitioner :- Fatima Zahra

Respondent :- Civil Judge (J.D.) F.T.C. 1, Ambedkar Nagar
And 6 Others

Counsel for Petitioner :- Mohd. Kumail Haider

Hon'ble Karunesh Singh Pawar,J.

Heard Shri Shujat Kidwari, learned Advocate holding brief of Mohd. Kumail Haider, learned counsel for the petitioner.

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

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

"Issue a direction to the opposite party no.1 to decide the suit no. 402/2023 titled as titled as "Smt. Fatima Zahra & another V/s Shri Mohammad Umar and others", filed under section 12 of protection of women from domestic violence act 2005, expeditiously within a reasonable time in the interest of justice."

It is submitted on behalf of the petitioner that the petitioner filed a suit under Section 12 of the Domestic Violence Act dated 21.03.2023 before the Civil Judge (Junior Division), FTC-1, District Ambedkar Nagar. It is further submitted that till date the said application has not been decided although on the same date i.e. on 21.03.2023, notices were issued to the opposite parties.

It is prayed that application under Section 12 of the Domestic Violence Act may be expedited at an early date.

On due consideration to the provisions of Section 12(5) of the Domestic Violence Act as well as pleading made in the petition and without entering into the merits of the case, the petition is disposed of with a direction to the concerned Civil Judge, Junior Division, FTC-1, Ambedkar Nagar to decide the said application strictly in accordance with the provisions of Section 12(5) of the Domestic Violence Act.

Interim relief application, if any pending, shall also be decided within one week from the date of production of certified copy of the order.

Order Date :- 7.11.2023/R.C.