

Court No. - 6

Case :- MATTERS UNDER ARTICLE 227 No. - 5980 of 2023

Petitioner :- Amit Kumar Dixit

Respondent :- State Of U.P. Thru. Prin. Secy. Home Lko. And Another

Counsel for Petitioner :- Mohammad Aziz Mansuri

Counsel for Respondent :- C.S.C.

Hon'ble Rajnish Kumar,J.

On an objection raised by learned Standing Counsel that the petitioner has impleaded the State of U.P. through Principal Secretary Home, Civil Secretariat, U.P., Lucknow, who is not a necessary party, learned counsel for the petitioner Shri Mohammad Aziz Mansuri submits that the State of U.P. has wrongly been impleaded and he may be permitted to delete the same, to which there is objection by learned Standing counsel.

In view of above, learned counsel for the petitioner is permitted to delete the respondent no.1 from the array of the parties and renumber opposite party no.2 as opposite party no.1 during course of the day.

Heard Shri Mohammad Aziz Mansuri, learned counsel for petitioner.

In view of the order proposed to be passed this Court does not deem it necessary to issue notice to respondent no.1 as her interest would be well protected by the order passed by this Court.

By means of the present petition, the petitioner has prayed for the following reliefs:-

"I. Issue an order or direction directing the Learned Additional Principal Judge, 02, Family Court, Lucknow to decide the pending case No.1277 of 2017 dated 15.05.2017 "Amit Kumar Dixit Versus Smt. Archana Dixit" filed under Section 13 of the Hindu Marriage Act, 1955, expeditiously within stipulated period as directed by this Hon'ble Court.

II. Issue an, order or direction in any nature which this Hon'ble Court may deem fit and proper under the circumstances of the case.

III. Award the cost of the petition in favour of the petitioner."

This court on administrative side has already issued directions to the court below to obtain zero pendency of cases which are more than five years old. In view of directions already issued on administrative side, this court is not inclined to pass any further

order on judicial side.

However, it is always open for the petitioner to move appropriate application before the court before which the matter is pending for expeditious hearing. In case any such application is moved within a week from today the same shall be considered and disposed of within two weeks thereafter and endeavour shall be made to decide the Suit within a time frame.

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

(Rajnish Kumar,J.)

Order Date :- 28.11.2023

Banswar