

Court No. - 6

Case :- MATTERS UNDER ARTICLE 227 No. - 6169 of 2023

Petitioner :- Dheeraj Saxena

Respondent :- Smt. Divya Saxena

Counsel for Petitioner :- Monika Dwivedi

Hon'ble Rajnish Kumar,J.

Heard Ms. Monika Dwivedi, learned counsel for the petitioner.

This petition has been filed for a direction for disposal of the Divorce Petition No.3180 of 2018 under Section 13 of the Hindu Marriage Act.

Perusal of the order sheet indicates that the case was listed for cross examination on 29.05.2023 but the petitioner had not appeared, therefore opportunity of his evidence was closed. Thereafter he moved an application for recall of the said order which has been allowed on 16.11.2023 fixing 04.12.2023 for cross examination of PW-1 and the learned counsel for the petitioner submits that he had appeared on the said date and now the case has been fixed on 11.12.2023, therefore the case has been delayed on account of non presence of the petitioner himself and after recall of the order the court himself is fixing short dates, therefore this Court is of the view that no direction is required to be issued at this stage. Even otherwise, the parties can always move to concerned court in case of any urgency in the suit, for disposal, which can be considered by the concerned court only in accordance with law.

With the aforesaid, the petition is **dismissed**.

(Rajnish Kumar, J.)

Order Date :- 11.12.2023

Haseen U.