

GAHC010099132024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : Crl.Pet./596/2024

MRS. REHENA BEGUM
W/O DR. MOHD. MERAJ ALAM, D/O MUSLIM ALI, R/O SUNDARBARI, P.S.-
JALUKBARI, DIST- KAMRUP (M), ASSAM

VERSUS

DR. MOHD. MERAJ ALAM
S/O ALHAJ MD NAZMUDDIN, R/O DC COLONY, JILPAR ROAD, DIPHU,
ASSAM, PIN-782462

Advocate for the Petitioner : MR. R ALI

Advocate for the Respondent :

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 22-05-2024

- 1.** Heard Mr. R. Ali, learned counsel for the petitioner.
- 2.** The petitioner has filed this application u/s 482 of the Cr.PC read with Article 227 of the Constitution of India in connection with F.C. (Criminal) Case

No. 67 of 2013 u/s 125 Cr.PC pending before the learned Principal Judge, Family Court No.1, Kamrup (M).

3. It is submitted on behalf of the petitioner that this case is pending since 18.02.2013 for more than 10 years. The petitioner being a woman is suffering due to the procrastination of this case. An order for interim maintenance was passed on 08.09.2015 but the respondent despite being a doctor by profession has been evading to pay and he has defaulted payment on many occasions.

4. After considering the submission of the learned counsel for the petitioner and taking note of the length of pendency of this proceeding, I deem it fit to direct the trial Court at this motion stage to make every endeavour for speedy disposal of the proceeding within 6 (six) months.

5. It has been held by the Hon'ble Supreme Court in ***Rajnish v. Neha and Another***, reported in **(2021) 2 SCC 324** wherein it has been observed that:-

“The proceedings for payment of interim maintenance under Section 125 CrPC have been pending between the parties for a period of over 7 years now. We deem it appropriate that the Family Court decides the substantive application under Section 125 CrPC in Petition No. E-443/2013 finally, in light of the directions/guidelines issued in the present judgment, within a period of 6 months from the date of this judgment.”

6. In the light of the decision of the Hon'ble Supreme Court in *Rajnish v. Neha (supra)* the learned trial Court is directed to make an endeavour to dispose of the proceeding speedily.

With the above observations, this petition stands disposed of.

JUDGE

Comparing Assistant