

Court No. - 12

Case :- MATTERS UNDER ARTICLE 227 No. - 6243 of 2024

Petitioner :- Smt. Sanju

Respondent :- Chandra Prakash And 3 Others

Counsel for Petitioner :- Girdhari Lal Shukla

Hon'ble Saurabh Lavania, J.

Heard learned counsel for the applicant, learned Government Advocate for the State of U.P. and perused the record.

The instant application under Section 483 Cr.P.C. has been preferred for the following main relief:-

"WHEREFORE, it is most respectfully prayed that this Hon'ble Court may kindly be please direct to the learned trial court i.e. Court of F.T.C. (J/D), District-Gonda to decide the case of the petitioner in pursuance of the order dated 23.01.2023 which is pending since 26.09.2012 filed by the petitioner under section 12/19 of the Protection of Women from Domestic Violence Act. 2005, i.e. Case No. 1000198 of 2012(UPGD040044032012) (Smt. Sanju versus Chandra Prakash and others) within stipulated time."

Considering the facts and circumstances of the case indicated in the application including the period of pendency of the case in issue, which was filed under **Section 12 of Protection of Women from Domestic Violence Act, 2005** (in short 'Act of 2005'), by the applicant and also that as per **Sub Section 5 of Section 12 of the Act of 2005**, the Magistrate shall endeavour to dispose of every application made under sub-section (1) within a period of sixty days from the date of its first hearing, the present application is disposed of with a direction to the court concerned to make all endeavour for concluding the proceedings of the case in issue, expeditiously as according to various pronouncements of the Hon'ble Apex Court including the judgment(s) passed in the case of **Maneka Gandhi Versus Union of India and Another (1978) 1 SCC 248, Hussainara Khatoon Versus Home Secretary, State of Bihar (1980) 1 SCC 81, Kadra Pahadiya and Others Versus State of Bihar (1981) 3 SCC 671**, the right to speedy trial/disposal of case is implicit under Article 21 of the Constitution of India.

With the aforesaid, the instant application is **disposed of**.

Order Date :- 19.12.2024

Jyoti/-