



2025:AHC:174884

HIGH COURT OF JUDICATURE AT ALLAHABAD

MATTERS UNDER ARTICLE 227 No. - 11937 of 2025

Mohit Verma

.....Petitioner(s)

Versus

Smt Richa

.....Respondent(s)

Counsel for Petitioner(s)	:	Rajesh Kumar Kanojia
Counsel for Respondent(s)	:	

Court No. - 9

HON'BLE MANISH KUMAR NIGAM, J.

1. Heard learned counsel for the petitioner and perused the record.

2. The writ petition has been filed seeking following relief :-

"(i) Issue an appropriate, suitable order or direction by directing the Court below to decide Case No. 137 of 2024, Mohit Verma Versus Richa (Under section 13 (i) (i-a) (i-b) of Hindu Marriage Act), pending, before Court of Principal Judge, Family Court, Saharanpur, in an expeditious time bound manner within the time frame as fixed by this Hon'ble Court."

3. Contention of learned counsel for the petitioner is that the proceedings under Section 13 (i) (i-a) (i-b) of the Hindu Marriage Act are pending since 2024. It has been further contended by learned counsel for the petitioner that appropriate directions be issued to the Principal Judge, Family Court, Saharanpur seized with the proceedings of divorce u/s 13 (i) (i-a) (i-b) of the Hindu Marriage Act to decide the same within a stipulated time or in a time frame as may be fixed by this Court.

4. Learned counsel for the petitioner brought attention of the Court to the provision of Section 21-B of the Hindu Marriage Act which contemplates to conclude the trial within six months from the date of service of notice of petition on the respondents.

5. Section 21-B of the Hindu Marriage Act is quoted as under:

"21-B. Special provision relating to trial and disposal of petitions under the Act.-(1) The trial of a petition under this Act shall, so far as is practicable consistently with the interest of justice in respect of the trial, be continued from day to day until its conclusion unless the Court finds the adjournment of the trial beyond the following day to be necessary for reasons to be recorded.

(2) Every petition under this Act shall be tried as expeditiously as possible and endeavour shall be made to conclude the trial within six months from the date of service of notice of the petition on the respondent.

(3) Every appeal under this Act shall be tried as expeditiously as possible, and endeavour shall be made to conclude the hearing within three months from the date of service of notice of appeal on the respondent."

6. In view of the statutory requirement as contemplated under Section 21-B of the Hindu Marriage Act, no useful purpose would be served in keeping this petition pending.

7. The Principal Judge, Family Court, Saharanpur is directed to consider and decide the aforesaid pending proceeding before him, in accordance with law, expeditiously, after giving opportunity of hearing to the parties concerned as well as an opportunity to lead evidence in support of their case and without granting unnecessary adjournments to either of the parties provided that there is no other legal impediment, keeping in view the statutory mandate of Section 21-B of the Hindu Marriage Act quoted above.

8. With these observation, this petition is disposed of.

(Manish Kumar Nigam,J.)

September 26, 2025

Nitika Sri.