



CGHC010378912026



2026:CGHC:43535

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WP227 No. 1293 of 2026

Prakash Kumar Markam S/o Shri Santosh Kumar Markam, Aged About 33 Years, R/o Butan Badi Mangala, 7587452004, Dhuri Para, Road Ward No. 13, Mangala District Bilaspur Chhattisgarh.

... Petitioner

versus

Kanak Markam W/o Prakash Kumar Markam, Aged About 32 Years, Staff Nurse, Apollo hospital Bilaspur R/o Butan Bari Mangala, Dhuri Para road, ward No. 13, Mangala, District Bilaspur Chhattisgarh.

... Respondent

For Petitioner : Shri Achyut Tiwari, Advocate.

S.B. Hon'ble Shri Justice Ravindra Kumar Agrawal

Order on Board

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07/10/2026

1. Heard.
2. Present is a writ petition under Article 227 of the Constitution of India filed by the petitioner claiming the following reliefs :-

“10.1 That, the Hon'ble Court may kindly be pleased to call for the record relating to petitioner's matter.

10.2 That, the Hon'ble Court may kindly be pleased to issue an appropriate writ, order or direction to the learned Principal Judge, Family Court, Bilaspur, District Bilaspur (C.G.), to proceed with and conclude the proceedings in Civil Suit No. 455-A of 2021, "Prakash Kumar Markam v. Kanak Markam", expeditiously and, preferably, within a period of 1 month from the date of receipt of the order of this Hon'ble Court, in accordance with law, in the interest of justice.

10.3 Any other relief, which this Hon'ble Court may deem fit and proper according to the facts and circumstances of the case along with the cost of the petitioner.”

3. Learned counsel for the petitioner would submit that the petitioner has filed the present writ petition claiming the limited relief that the learned Family Court may be directed to expedite the trial of the Civil Suit No.455-A/21 within a reasonable time frame as the same is pending since 2021. He would further submit that the application under Section 13 of the Hindu Marriage Act, 1955 was filed by the petitioner on 30/10/2021 and after framing of the issues, the petitioner has filed his affidavit under Order 18 Rule 4 of CPC on 02/09/2023, but till date, the petitioner/applicant has not been cross-examined for one or the other reasons and the case was adjourned time to time. Since the application under Section 13 of the Hindu Marriage Act, 1955 filed by the petitioner is pending since 2021, the learned Family Court may be directed to expedite the proceeding and conclude the same within the reasonable time frame.
4. I have heard learned counsel for the petitioner and perused the documents annexed with the writ petition as well as certified copy of the order-sheets of the learned trial Court.
5. From perusal of the certified copy of the order-sheets of the learned Family Court (Annexure-P/13), it transpires that the petitioner, who was the applicant before the learned Family Court, had filed an application under Section 13(1) of the Hindu Marriage Act, 1955 on 30/10/2021. Respondent/non-applicant made her appearance on 14/03/2022 and thereafter, various applications have been decided and on 29/04/2023, written statement has been filed by the respondent/non-applicant. Issues have been framed on 05/08/2023 and the present application filed by the petitioner under Section 13 of the Hindu Marriage Act was ordered to be jointly tried in another case filed by the respondent/non-applicant, which was under Section 9 of the Hindu Marriage

Act bearing Civil Suit No.488-A/2022. From the order-sheet dated 02/09/2023, the petitioner/applicant has filed his affidavit under Order 18 Rule 4 of CPC, but the evidence of the respondent/non-applicant could not be recorded and the case was adjourned time to time for one or the other reason.

6. Be that as it may, the fact remains that the application filed by the petitioner/applicant under Section 13 of Hindu Marriage Act is pending since 2021 and till date, the evidences of the parties, have not been examined. Therefore, this Court deem it appropriate to direct the learned Family Court, Bilaspur to expedite the proceeding of the case and conclude the same within a reasonable time frame.
7. Accordingly, the learned Second Additional Principal Judge, Family Court, Bilaspur is directed to expedite the proceeding of the Civil Suit No.455-A/2021 and shall conclude the same as early as possible within a period of eight months from the next date fixed before it. It is expected that the parties shall co-operate with the expeditious disposal of the trial and shall not take any unnecessary adjournment.
8. With the above observation, the present writ petition stands disposed of.

Sd/-

(Ravindra Kumar Agrawal)
JUDGE