



CGHC010408302026

2026:CGHC:44747

NAFR



HIGH COURT OF CHHATTISGARH AT BILASPUR

WP227 No. 1334 of 2026

Smt. Rekha Karmakar W/o Shubhro Karmakar Aged About 40 Years R/o House No. 3 B, Road No. 33, Sector - 4, Bhilai, Tehsil And District Durg (Chhattisgarh)

... **Petitioner(s)**

versus

Shubhro Karmakar S/o Hare Krishna Karmakar Aged About 42 Years R/o Plot No. 06, Sundar Vihar Colony, Near Housing Board, Bhilai, District Durg (C.G.)

... **Respondent(s)**

For Petitioner(s) : Mr. Abhinav Singh Chandel, Advocate

(Hon'ble Shri Justice Ravindra Kumar Agrawal, J.)

Order on Board

15/10/2026

1. Heard.
2. Present is a writ petition under Article 227 of the Constitution of India claiming the limited relief that the learned Family Court may be directed to expedite the proceeding of the Case No. M.J.C. Civil (Family Court)/96/2025 and shall decide the same within the stipulated time-frame.
3. Learned counsel for the petitioner would submit that the petitioner is the applicant before the learned Family Court where she is prosecuting

an application under Section 9 of Guardian and Wards Act, 1890. The application was filed by the petitioner on 21.08.2025 and after various opportunity granted to the non-applicant, written statement was filed on 20.03.2026, and thereafter, the the issues have been framed on 10.04.2026 and case was fixed for recording applicant's evidence on 08.05.2026. On 08.05.2026 and 18.06.2026, the Presiding Officer was on leave and on 13.07.2025, on the request made by the non-applicant, the case was adjourned for 29.07.2026. On 29.07.2026, the matter was referred for mediation, and thereafter, again, the case was fixed for 05.08.2026. On 05.08.2026, the non-applicant raised an objection that he has not received the documents filed by the applicant in the case and the case was again adjourned for 07.12.2026. Therefore, he prayed for direction to learned Family Court to expedite the proceeding of the case and conclude the same within the stipulated time-frame.

4. I have heard learned counsel for the petitioner and perused the material annexed with the petition.
5. It transpires from the order sheet that for one and other reason, the proceeding of the case was adjourned. However, on 05.08.2026, when the case was fixed for cross-examination of the applicant's witness, the non-applicant raised an objection that he has not received copy of the documents filed by the applicant before the learned Family Court and then the applicant had taken time to supply the same and then the case was adjourned for 07.12.2026. On 05.08.2026, the date was adjourned for 07.12.2026, which is after about 4 months only for supply of the documents by the applicant to the non-applicant, which does not

satisfy the object of expeditious trial of the case.

6. Since the date of 07.12.2026 has already been fixed by the learned Family Court, the applicant is at liberty to move an appropriate application before the learned Family Court for preponing of the date of hearing of the case and if such application is being made by the applicant, the same shall be considered in accordance with law after giving opportunity of hearing to the parties concerned.
7. Considering the limited submissions made by learned counsel for the petitioner, the present writ petition is **disposed of** directing the learned Family Court to expedite the proceeding of the case and shall conclude the same as early as possible, preferably within six months from the next date fixed before it. Needless to say that the parties concerned shall not take any unnecessary adjournment and shall cooperate with early disposal of the case.

Sd/-
(Ravindra Kumar Agrawal)
Judge