

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1098 of 2013

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Mira Kumari wife of Rakesh Kharwar daughter of Lakshman Prasad,
resident of Mohalla- Janta Road, Jakanpur, P.S.- Gardanibagh, District-
Patna

.... Petitioner/s

Versus

1. The State of Bihar through the Home Secretary, Old Secretariat , Patna
2. The District Magistrate, Patna
3. The Superintendent of Police, Patna
4. Rajesh Kharwar son of Satyanarayan Prasad, resident of Mohalla-
Miskaritola, Shiswan Bazar, P.S.- Kothibhar, Distt.- Maharaj Ganj (Utter
Pradesh)

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ambika Bhagat, Advocate
For the Respondent/s : Mr. Gautam Bose, AAG-8
Mr. Rohit Mishra, AC to AAG-8

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH
ORAL ORDER

4 06-02-2015 The grievance of the petitioner is that despite an application having been filed under section 126(2) of the Code of Criminal Procedure in the court of Principal Judge, Family Court, Patna on 17th August, 2011, the same has not been disposed of till date.

By order dated 16th January, 2015, a report was called for from the court below as to why the matter has been kept pending for over three years. The Incharge Principal Judge, Family Court, Patna has sent his report dated 29th January, 2015 in this regard.

Having perused the report dated 29th January, 2015, I find that the main reason for delay in disposal of the case is that the court was lying vacant for a sufficient long time. It has been submitted that recently a Judicial Officer has already been posted as Principal Judge, Family Court, Patna.

In that view of the matter, I dispose of the application with a direction to the learned Principal Judge, Family Court, Patna to dispose of the aforesaid application of the petitioner dated 17th August, 2011 on merits within two months from the date of receipt/production of a copy of this order.

(Ashwani Kumar Singh, J)

Md.S./-

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