

HIGH COURT OF CHHATTISGARH, BILASPUR

WP227 No.779 of 2014

Dr. Rishabh Sethi S/o Dr. Prabhakar Sethi Aged About 33 Years R/o Alka Nursing Home, Airport Circle, Near Fly Over Sanganer Jaipur Rajasthan

---- Petitioner

Versus

Dr. Anjana Sharma W/o Dr. Rishabh Sethi Aged About 31 Years R/o Plot No.66, Block-13, Nehru Nagar, East Bhilai Nagar P.S. Supela Tahsil & Distt. Durg. C.G.

---- Respondent

For Petitioner	:	Shri Yogendra Jain, Advocate
For Respondent	:	Shri Sunil Otwani, Advocate

Order On Board

09/09/2015

Heard.

1. By this petition under Article 227 of the Constitution of India, the petitioner has clubbed number of grievances, it is submitted that -

- (a) There is an application under Section 10 of CPC filed by the petitioner which has not been decided.
- (b) Application for interim custody/ visitation rights has been filed before the Family Court which is also pending.
- (c) Application for setting aside ex-parte order is pending which has not been decided.
- (d) Application for appointing counsel has also been filed which has not been decided.

2. It appears that through this petition, the petitioner has clubbed number of grievances, however, in the larger interest of justice, it would be proper to dispose off the petition with the direction to the Family Court to decide applications filed by the petitioner for interim custody/ visitation, application under Order 9 Rule 7 CPC pending before the Court. It is observed that an occasion to decide application under Section 10 of IPC will arise depending upon the result of application for setting aside ex-parte order. Thereafter, the petitioner would be at liberty to raise appropriate application in appropriate Forum.

3. At the last, learned counsel for the petitioner submits that the Family Court may be directed to expeditiously dispose off the pending applications before it.

It goes without saying that the Family Court shall take all expeditious steps to decide the dispute between the parties. The interim application should also be decided as early as possible and none of the parties shall be granted unnecessary adjournment.

4. With the aforesaid observation, this petition is finally disposed off.

Sd/-

Manindra Mohan Shrivastava

J U D G E