

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.700 of 2016

Arbab Ashraf

.... Petitioner/s

Versus

The State of Bihar Through Secretary, Law Deptt. Bihar, Patna & Ors

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Mohammed Abu Haidar, Adv.

For the Respondent/s : Mr. Yogendra Prasad Sinha, AAG-7

CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

3 05-09-2016

By making this application, under Articles 226 and 227 of the Constitution of India, the petitioner, who claims to be father of respondent No.4, who is a minor and has been living, admittedly, with respondent No.2, seeks enforcement of an agreement, which has been entered into by the parties. This Court, in exercise of its power, under extra ordinary jurisdiction conferred by Article 226 of the Constitution of India, is not inclined, in the facts and attending circumstances, to pass any order for enforcement of the agreement, particularly, when the subject-matter of custody of the said child is pending in the Court of Principal Judge, Family Court, Patna, as Guardianship Case No.2 of 2016, wherein the petitioner has sought for his appointment as guardian of respondent No.4.

Considering the matter in its entirety, while declining to issue any writ of the nature, as has been sought for

by the petitioner, the learned Principal Judge, Family Court, Patna, is hereby, in the interest of justice, directed to expedite the process of disposal of the guardianship proceeding and conclude the same, preferably, within a period of four months from the date of receipt of a certified copy of this order by the learned Court below.

With the above observations and directions, this application stands disposed of.

(I.A. Ansari, CJ)

K.C.jha/-

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