

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRIMINAL MISC. PETITION NO. 622 OF 2016

Smt. Asha Agrawal, W/o Jayant Sharaf, aged about 26 years, R/o Kotra Road, Dr. Joshi Lane, Kotra Road, Raigarh, Tahsil & District Raigarh (C.G.)

... Petitioner

Versus

Jayant Sharaf, S/o Shri Kamal Sharaf, aged about 27 years, occupation: Business, R/o Kranti Nagar, Near Jain Mandir, Bilaspur, Police Station Tarbahar, Tahsil & District Bilaspur (C.G.)

... Respondent

For Petitioner : Mrs. Smita Jha, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

21/06/2016

1. The limited prayer in the present Criminal Misc. Petition is for a direction to the Family Court, Raigarh for an expeditious disposal of the proceedings under Section 125 of CrPC in Case No. F83/14.
2. Counsel for the Petitioner submits that the proceedings under Section 125 of CrPC was filed by the Petitioner on 24.7.2014 but though almost two years have passed the matter has not been concluded and on some pretext or the other the matter is getting adjourned.
3. Though from the order-sheet that has been enclosed along with the present Criminal Misc. Petition, there does not seem to be any single order where it reflects that the matter has been adjourned in spite of the witness of the Petitioner's side being present.
4. Counsel for the Petitioner further submits that her application for grant of interim maintenance also is pending consideration before the Family Court.

5. Though this Court does not find any good ground for the Petitioner to seek the relief sought for in the absence of any particular order-sheet reflecting that there was an adjournment sought by the other side which was opposed to by the Petitioner.

6. In the interest of justice, taking into consideration the fact that the proceeding under Section 125 of CrPC is also pending before the Family Court for almost two years, it is expected that the Court below shall proceed further with the matter strictly in accordance with law and shall make all endeavours for an early disposal of the case as expeditiously as possible without unnecessarily granting adjournments to either of the party.

7. With the aforesaid observation, the present Criminal Misc. Petition is disposed of.

Sd/-
(P. Sam Koshy)
Judge