

HON'BLE SRI JUSTICE SURESH KUMAR KAIT
CIVIL REVISION PETITION No.3455 of 2016

ORDER :

The present petition has been filed feeling aggrieved by the order dated 05.02.2016, whereby the learned Judge, Family Court, Guntur, directed the I.A.No.1561 of 2014 filed by the petitioner herein to be decided with main F.C.O.P.No.203 of 2013.

Learned counsel appearing on behalf of the petitioner submits, the aforesaid petition is barred by limitation as provided under Section 12(2)(a)(i) and (ii) of the Hindu Marriage Act, 1955. Petitioner herein seeks direction to the trial Court to decide the issue of maintainability first and if required, the main petition may be decided thereafter.

The petitioner raised same plea before the trial Court and after considering the facts and issues raised in F.C.O.P.No.203 of 2013 and I.A. noted above filed by the petitioner, the trial Judge is of the opinion that the application filed by the petitioner may be decided together with main F.C.O.P.No.203 of 2013.

I do not find any discrepancy in the order passed by the trial Court. Finding no merit in the instant petition, same is accordingly dismissed. However, the trial Judge is directed to decide the main F.C.O.P.No.203 of 2013 and I.A.No.1561 of 2014 filed by the petitioner together within six months from the date of receipt of this order.

The petition is accordingly disposed of. No costs.

Pending miscellaneous applications, if any, shall stand closed.

20th July 2016
KUMAR KAIT, J

SURESH

N.B:

Copy of this order be sent to the trial Court concerned.

(b/o)

ajr