

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CR No.4436 of 2016(O&M)

Date of decision:23.8.2016

Mridula Kakaria

....Petitioner

VERSUS

Davinder Kakaria

.....Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Ms. Promila Nain, Advocate for the petitioner.

REKHA MITTAL, J. (Oral)

The present petition has been preferred by invoking Article 227 of Constitution of India (wrongly mentioned as Section 227) for issuance of directions to the trial Court to expedite the trial and conclude the proceedings in a reasonable time.

Counsel for the petitioner has submitted that the petition filed under Section 13 of the Hindu Marriage Act, 1955 (in short 'the Act') at the instance of the petitioner is pending since April 2013 wherein the petitioner concluded her evidence on 28.10.2014 but since then case is being adjourned without any evidence having been adduced by the respondent-husband. It is further submitted that even the application filed under Section 24 of the Act for grant of maintenance *pendente lite* is pending for the past about 2 years. It is prayed that the Court below may be directed to dispose of the case in a time-bound manner.

I have heard counsel for the petitioner, perused the paper-book particularly zimini orders reproduced at pages 21 to 33.

A plain reading of the zimini orders would indicate that the petitioner concluded her evidence on 28.10.2014 and since then the case is being adjourned. Even the application under Section 24 of the Act is pending consideration for the past about 2 years. In the given facts and circumstances, the petition is disposed of with a direction to the trial Court to dispose of the application under Section 24 of the Act on the next date fixed or within a period of 7 days thereafter in accordance with law. The trial Court shall put its best efforts to dispose of the petition at the earliest preferably within a period of 8 months from the next date fixed in the case.

AUGUST 23, 2016

‘D. Gulati’

(REKHA MITTAL)**JUDGE**

Whether speaking/reasoned : yes/no

Whether reportable : yes/no