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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CM(M) 1275/2015

SHUSHMITA MITRA

..... Petitioner

Through: Ms. Manali Singhal, Mr. Santosh
Sachin & Mr. Deepak S. Rawat,
Advocates.

versus

PARTHASARTHI MITRA

..... Respondent

Through: Mr. R.C.S. Bhadoria, Advocate.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER
05.01.2016

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Mr. R.C.S. Bhadoria, Advocate, puts in appearance on behalf of the respondent, who stands served. He states that he shall file his Vakalatnama within a week. Let the same be so filed.

This petition under Article 227 of the Constitution of India has been preferred with the grievance that the petitioner's application under Section 24 of the Hindu Marriage Act, 1955 (HMA), which has been pending for over seven years and has been heard thrice and the judgment reserved, has not been disposed of by the concerned Court.

A perusal of the record shows that it really cannot be disputed that the petitioner's application under Section 24 of the HMA has remained pending for the last over seven years. There can be no justification for keeping such

an application pending for such a long period, particularly when one looks at the statutory scheme under Section 24 of the Act.

Accordingly, this petition is disposed of with a direction to the Family Court to positively dispose of the application under Section 24 of the HMA preferred by the petitioner within three months from today.

It shall be open to the petitioner to place a copy of this order before the concerned Family Court and to seek preponement of the date of hearing. It has been assured by learned counsel for the respondent that the respondent shall fully cooperate in the disposal of the said application and shall not seek any adjournment. Neither party shall seek nor be granted any adjournment by the Family Court.

The petition stands disposed of in the aforesaid terms.

VIPIN SANGHI, J

JANUARY 05, 2016

B.S. Rohella