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HIGH COURT OF CHHATTISGARH, BILASPUR**WP (227) No.243 of 2017**

Navodeet Mishra, at present aged about 42 years, S/o Late N.K. Mishra, R/o Vikas Nagar, 27 Kholi, Thana Civil Lines, Distt.Bilaspur (CG)

---- Petitioner

Versus

Smt.Richa Mishra, aged about 38 years, W/o Navodeet Mishra, R/o Vikas Nagar, 27 Kholi, Thana Civil Lines, Distt.Bilaspur at present R/o C/o Shri Nemdhar Diwan, R/o Village Baharbod, P.O. Oodiya, Thana and Distt. Bemetara (CG)

---- Respondent

For Petitioner : Mr.Parag Kotecha, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order on Board**24/3/2017**

Heard.

1. By this writ petition under Article 227 of the Constitution of India, the petitioner has prayed for a direction to the Court below to expedite the trial.
2. It is submitted by learned counsel for the petitioner that on the application made by the respondent/wife before this Court, the suit, which was pending before Family Court, Bilaspur, was transferred to Family Court, Bemetara where the respondent/wife is residing.
3. Ever since the case was transferred to Family Court, Bemetara, two attempts have been made for

cross-examination of the petitioner's witnesses, despite that the respondent is not completing cross-examination due to which, the trial is being delayed.

4. I have gone through the order-sheets. It is found that the Court below had granted one opportunity to the respondent to cross-examine the petitioner's witnesses on 21.3.2017.
5. Learned counsel for the petitioner states at the Bar that case was again adjourned without completing cross-examination.
6. Considering the fact that more than one opportunity was granted by the Court below to the respondent to cross-examine the petitioner's witnesses, it is directed that the Family Court, Bemetara shall not grant further time for cross-examination on the next date of hearing to the respondent. If on the next date of hearing, the respondent does not cross-examine the petitioner's witnesses, right to cross-examine shall stand closed and the Court below shall proceed further in the matter. The Court below shall make all endeavour for early disposal of the trial.
7. Accordingly, the writ petition stands disposed off.

Sd/-

(Manindra Mohan Shrivastava)
Judge