

HIGH COURT OF CHHATTISGARH, BILASPUR

REVP No. 130 of 2016

- Vishal Jindal S/o Vijay Kumar Jindal, Aged About 32 Years R/o 45 Jindal Niwas, Deshmukh Marg, Dhantoli, Nagpur (M.S.)

---- Petitioner

Versus

- Smt. Pooja Jindal W/o Vishal Jindal, Aged About 30 Years R/o Moda Niwas, 9/14, Kotra Road, Raigarh, Distt. Raigarh, Chhattisgarh (Defendant)

---- Respondent

For Petitioner	: Shri P.R.Patankar, Advocate
For Respondent	: Shri Sourabh Sharma, Advocate

Hon'ble Shri Justice Pritinker Diwaker

Order On Board

30/06/2017

Petitioner and respondent are husband and wife. On 28.04.2015, order was passed by the Family Court, Raigarh awarding Rs. 50,000/- as maintenance amount to the respondent and Rs. 25,000/- per month to hre son. The said order was challenged before this Court in W.P. (227) No. 388/2015 and on 13.05.2015 said writ petition was disposed of with the consent of the parties and direction was issued to the Family Court for early disposal of the main case preferably within a period of five months.

On 2.11.2015, on the request of the court below five months time was extended for the disposal of the said case. In between certain applications were filed by the non-applicant even making allegation against the Family Court, Raigarh and therefore there was no progress in the case from December 2015 to December 2016 and ultimately vide order dated 9.12.2016 passed by this Court in M.C.C. No. 915/2016 the case pending before the

Family Court, Raigarh was transferred to Family Court, Bilaspur and presently the case is pending before it.

On 7.4.17, this Court has again extended time for the court below to dispose of the case within further five months and it has been informed by the parties that the case is in progress before the Family Court at Bilaspur.

Counsel for the applicant has informed that the applicant has already completed his evidence and now it is the respondent who has to start his evidence and conclude the same.

It has been argued by the counsel for the applicant that the respondent is making all the efforts to either stay of the proceedings of the court below or to linger on the same.

Opposing this submission it has been vehemently argued on behalf of the respondent that the respondent has no intention to linger on the proceedings and she is fully cooperating with the proceedings.

Considering the fact that there is substantial progress in the case and the respondent has also assured for full cooperation in early disposal of the case, I am of the considered view that no further order is required in the present case except directing the court below to ensure the disposal of the case as directed on 7.4.2017.

Needless to state that the court below will further make sincere efforts for the early disposal of the case and if required, the court may proceed day to day or to give short dates.

With the above, present petition is disposed of.

Sd/-

(Pritinker Diwaker)
Judge