

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.1162 OF 2017

ORDER:

The writ petition is filed seeking a writ of mandamus directing the Judicial First Class Magistrate, Bichkunda to allow the compromise petition filed in F.I.R.No.204 of 2016 and pass such other order or orders in the interest of justice.

Heard and perused the material.

Learned counsel for the petitioner submits that the petitioner filed a petition seeking divorce from the second respondent before the Hon'ble Senior Civil Judge, at Bodhan and that the matter is compromised and the Hon'ble Court was pleased to decree the petitioner and has granted decree of divorce, by order, dated 15.12.2016. As per the terms of compromise, the second respondent has to withdraw the complaint lodged against the petitioner and as such, filed compromise petition before the Hon'ble Judicial First Class Magistrate at Bichkunda and that the learned Magistrate recorded the compromise and passed docket order directing that the same to be put before the Lok Adalat after an observation period of 90 days. He further submits that the petitioner and the second respondent have already decided not to continue their marital life and that any delay in compounding the offence will cause prejudice to the petitioner.

Considering the facts and circumstances of the case, the Judicial First Class Magistrate, Bichkunda, is directed to dispose of the compromise petition filed by the second respondent and the petitioner, as expeditiously as possible, preferably on or before 31.01.2017.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

06.01.2017
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