

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

CR No.8304 of 2016 (O&M).

Date of Decision: 15.02.2017.

Pooja Rana

....Petitioner.

VERSUS

Jasvinder Singh

....Respondent.

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR.

Present: Mr. Sunil K. Tandon, Advocate for the petitioner.

SNEH PRASHAR, J.

This petition under Article 227 of the Constitution of India has been filed seeking direction to the trial Court to expedite the proceeding in case titled 'Jasvinder Singh vs. Pooja Rana'.

Mr. Sunil Polist, Advocate has appeared and filed his Power of Attorney on behalf of the respondent, which is taken on record.

Learned counsel for the petitioner submits that by way of suit for declaration filed by the respondent-plaintiff, he is claiming the petitioner-defendant to be his legally wedded wife. The suit was filed in July, 2015 and has not been decided till date. Learned trial Court be directed to expedite the proceedings and dispose of the same within some specific time frame.

The orders passed by learned trial Court, reproduced in Para No.5 of the instant petition, indicate that after institution of the suit, the

petitioner-defendant appeared on 19.09.2015 and filed an application under Order VII Rule 11 CPC. The suit remained pending for disposal of that application upto 30.04.2016. Order dated 07.05.2016 and any other order passed prior to 12.07.2016 has not been reproduced and nothing has been mentioned as to when the application filed by the petitioner under Order VII Rule 11 CPC was disposed of by learned trial Court. Vide order dated 12.07.2016, the application under Order XXXIX Rules 1 and 2 CPC filed by the respondent-plaintiff was withdrawn and issues were framed. The application filed by the respondent-plaintiff for recalling of the order dated 12.07.2016 was dismissed on 14.07.2016. The case is now fixed for respondent-plaintiff's evidence and one witness has already been examined.

From the orders, it is clear that no delay is being caused by the trial Court in recording proceedings in the case. Anyhow, since the dispute pertains to marital status of the parties, it shall be expedient and in the interest of justice that the suit is disposed of expeditiously and accordingly the instant petition is disposed of.

(SNEH PRASHAR)
JUDGE

15.02.2017.

jitender sharma

Whether speaking/ reasoned : **Yes/ No**

Whether Reportable : **Yes/ No**