

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1030 of 2018**

Sumit Kumar son of Sri Om Prakash Lall, resident of Mohalla- Nepali Nagar,
Aswin State, Rajiv Nagar, P.S.- Rajiv Nagar, District- Patna.

... .. Petitioner

Versus

Aparajita daughter of Sri Omkar Sharan Prasad, resident of Mohalla- East
Patel Nagar, Road No. 6, House No. 31, P.S. Shastri Nagar, District- Patna.

... .. Respondent

Appearance :

For the Appellant/s : Mr. Sanjiv Sharan
For the Respondent/s : Mr.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

3 14-12-2018 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the respondent.

The petitioner by filing this civil miscellaneous
petition seeks direction of this Court to dispose of the
proceeding of Matrimonial Case No.674 of 2013 within three
months.

Learned counsel for the petitioner submits that the
marriage was solemnized in the year 2008. Matrimonial case
was filed in the year 2013. The wife appeared in 2014 but filed
WS only in the year 2016. The petitioner has already adduced
all the evidences but the wife is taking adjournments after
adjournments on one pretext or the other. Even cross-
examination of the respondent has not been finished as the
respondent is not appearing in court for her cross-examination.



The learned counsel for the respondent and the father of the respondent, who is also an advocate of this Court, appear and submit that the case is lingering on account of the fact that both the parties have agreed to settle the dispute amicably outside the Court and on such Cr. Misc. No.37905 of 2015 filed by the accused persons including the petitioner was ordered to be placed on 03.10.2017 but till date no compromise is arrived at between the parties. But I find justification in delay in disposal of matrimonial suit since the same is pending from year 2014.

Considering the facts aforesaid, I direct the Principal Judge, Family Court, Patna to expedite the hearing of the matrimonial suit and dispose of the same preferably within six months from the date of receipt of this order without giving unnecessary adjournment to either side.

The civil miscellaneous petition is disposed of.

(Prabhat Kumar Jha, J)

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