

Santosh

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 3343 OF 2018

Capt. (Retd.) Amarnath Madurai ... Petitioner

versus

Mrs. Monica Amarnath ...Respondent

Ms. Krupali H. Rajani, for the Petitioner.

CORAM : SMT. BHARATI H. DANGRE, J

DATE : 16th MARCH, 2018.

P.C. :-

1. The Petitioner approaches this Court with a limited relief that the proceedings filed before the Principal Judge, Family Court, Pune, in Marriage Petition P.A. No.995 of 2007 and, in fact, the learned Counsel for the Petitioner makes a categorical statement that the matter was closed for order in November, 2017. It is specific case of the Petitioner that the said petition is filed in the year 2007, and this Court by an order dated 27th November, 2015, passed in Civil Writ Petition No.11717 of 2015, made a specific observation that the marriage petition is

pending since the year 2007, and it needs to be disposed of expeditiously. Direction came to be issued that the same be disposed of expeditiously and in any case within the period of six months from the date of the order i.e. 27th November, 2015. Perusal of the record reveals that on 28th June, 2016, this Hon'ble Court granted an extension for a period of six months. The learned Counsel would submit that thereafter the matter was heard finally and final arguments were over on 19th June, 2017, and the matter came to be posted for pronouncement of judgment by the Judge, Family Court, on 12th June, 2017. Again, the matter was listed for pronouncement of final judgment on 4th November, 2017 but till date no orders have been passed.

The learned Counsel for the Petitioner has tendered an Affidavit of service on record and the same is accepted. It appears that the Respondent was served with the copy of Petition on 13th March, 2018. The learned Counsel also informs that she had informed about the hearing of the petition before this Court today, to the Counsel appearing in the Family Court and he is aware of listing of this petition. In the peculiar facts of the case, it can be seen that the marriage petition is filed in

the year 2007, and is pending since then and this Court had, in fact, framed the time line within which the petition was to be disposed off.

In any contingency, when the learned Counsel for the Petitioner makes a categorical statement that the arguments in the matter were concluded in the month of June, 2017, it is high time that the Family Court should deliver its verdict. In such circumstances, the Family Court, Pune, is directed to pronounce the judgment in Marriage Petition P.A. No.995 of 2007, before 30th April, 2018.

2. With this direction the Writ Petition is disposed off.

[SMT. BHARATI H. DANGRE, J]