

THE HON'BLE SRI JUSTICE SANJAY KUMAR

CIVIL REVISION PETITION No.6154 of 2017

ORDER:

This civil revision petition under Article 227 of the Constitution was preferred by the third petitioner in G.W.O.P.No.1454 of 2016 on the file of the learned XV Additional District Judge-cum-XV Metropolitan Sessions Judge-cum-II Additional Family Judge, Kukatpally at Miyapur, Ranga Reddy District. The grievance of the third petitioner, the father of the minor children, petitioners 1 and 2 therein, is as to the non-disposal of the O.P. The said O.P. was filed by him under Sections 7 and 10 read with Section 25 of the Guardians and Wards Act, 1890, to declare him as the guardian of the minor children.

It appears that the matter is undergoing adjournments from time to time.

It is no doubt true that this Court has put in place circular instructions to the effect that the subordinate Courts should give priority to disposal of pre-2012 matters. This may perhaps be one of the reasons why the Family Court at Kukatpally is not taking up the subject O.P. However, certain matters cannot be kept on hold, such as those relating to the interest of children. The Family Court at Kukatpally must therefore give priority of hearing to the subject O.P. as it relates to the guardianship of minor children. Further, as the Family Court at Kukatpally would be giving priority to the subject O.P. pursuant to this order, the reduction in units to be allotted for disposal thereof in terms of the circular instructions issued by this Court shall not apply and full units shall be allotted as per rules.

The Family Court at Kukatpally shall therefore endeavour to adjudicate and dispose of the subject O.P. expeditiously and preferably within two to three months.

The civil revision petition is accordingly disposed of.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR,J

Date:16.02.2018

GJ

