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

CR No. 7123 of 2018

Date of Decision: 17.10.2018

Sandeep Gupta

-Petitioner

Versus

Ruby Gupta

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. S.P. Soi, Advocate,
for the petitioner.

RAJ MOHAN SINGH, J. (ORAL)

Learned counsel for the petitioner submits that petitions under Section 9 and 26 of Hindu Marriage Act are pending consideration before the court of Civil Judge (Senior Division), Jalandhar.

Respondent was served on 15.02.2018 in the petition under Section 9 of Hindu Marriage Act and service was also effected upon respondent in the petition under Section 26 of Hindu Marriage Act on the same date.

Respondent did not appear in the Court and was proceeded against exparte. In the exparte evidence, petitioner has also examined PW1 and PW2 on 09.03.2018. Petitioner has already closed his evidence on 30.07.2018.

Learned counsel contends that both the cases are

mature for arguments.

By referring to Section 21-B and 26 of Hindu Marriage Act, learned counsel contends that every petition under this Act has to be tried expeditiously and endeavor should be made to conclude the trial within six months from the date of service of notice of the petition on the respondent.

In case of petition under Section 26 of the Act, the petition has to be decided expeditiously preferably within a period of 60 days from the date of service of notice on the respondent. In both the eventualities, the petitions are required to be decided by the competent Court within the time specified after the date of service of notice on the respondent.

Since the respondent was duly served on 15.02.2018 and has also been proceeded against exparte, therefore, it would be in the fitness of things to direct the trial Court to decide both the pending petitions at the earliest by taking into consideration the requirement of law in terms of Section 21-B and 26 of Hindu Marriage Act.

It would be appreciated if the aforesaid petitions are disposed off within a further period of two months from the date of receipt of certified copy of this order.

Disposed of.

17.10.2018
Jyoti Yadav

(RAJ MOHAN SINGH)
JUDGE