

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(227) No. 467 of 2020

Sarojani Jangde, W/o. Jageshwar Prasad Jangde, aged about 31 years, R/o. Kamal Vatika, Near Sahu Atta Chakki, Gudiyari Road, Kota, Raipur, Chhattisgarh.

---- Petitioner

Versus

Jageshwar Prasad Jangde, S/o. Late Lambardar Jangde, aged about 40 years, Occupation and Office Address- Skill Assistant, Polytechnic and Education College, Byron Bazar, Raipur, R/o. Indra Nagar Sarsiva, Village-Jhumka Pendrawan Sarsiva, P.S.- Sarsiva Tehsil and District- Balodabazar-Bhathapara, Chhattisgarh.

-----Respondent

For Petitioner

: Mr. Akash Kumar Kundu, Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

19/01/2021

1. This petition under Article 227 of the Constitution of India has been brought praying for issuance of direction to the learned Family Court.
2. It is submitted by the learned counsel for the petitioner that the petitioner has filed a petition under Section 13 (1) (1a) of the Hindu Marriage Act against the respondent on 28.09.2019. Notice has been issued to the respondent on number of occasions, but the respondent is continuously avoiding service of summons on him. The only prayer in this petition is this that the learned Family Court be directed to expedite the proceeding in the divorce petition.
3. The notice issued to the respondent, which has been returned with report of refusal to accept the notice by the elder brother and

mother of the respondent.

4. The conduct of the respondent is disclosed from the non-acceptance of the notice, which was presented for service upon the adult family members of the respondent. Hence, this Court is of the opinion that the prayer made by the petitioner is justified.
5. Accordingly, the petition is disposed off at motion stage. The learned Family Court is directed to expedite the proceeding in the Case No.939 of 2019, pending before the Court of Second Additional Principle Judge, Family Court, Raipur and dispose of the same preferably within a period of six months. The time fixed is outer limit and it can also be disposed off earlier if the Courts finds it convenient to do so.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram