

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.615 of 2022

Vikash Kumar Son of Sri Satyanarayan Prasad Choudhary Resident of flat number B-703, Plot No.-36, Daffodils CGHS, Sector-6, Dwarka, New Delhi-75

... .. Petitioner/s

Versus

Tanuj Daughter of Mr. Anant Kumar Sahu, Resident of Sipara, Pragati nagar, I.O.C. Road, P.S.-Sipara, Town and District Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Pankaj Maijorwar
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-11-2022 Heard learned counsel for the petitioner.

2. Limited prayer of the petitioner is for direction to the Family Court, Patna to dispose the Matrimonial Case No. 793 of 2012 within a stipulated time limit.

3. Learned counsel for the petitioner submits that a Matrimonial Suit bearing No. 793 of 2012 was filed by the petitioner seeking divorce from the respondent initially under Section 13 of the Hindu Marriage Act, but due to intervention of family friends and well wishers both the parties agreed for divorce on mutual consent and accordingly, a joint application was filed by the parties for conversion of the suit under Section 13 into Section 13B of the Hindu Marriage Act and that conversion was allowed by the Additional Principal Judge, Family Court, Patna on 23.09.2021.



4. He further submits that Family Court has also condoned the period of six months between first motion and second motion. However, the said period has also elapsed.

5. After the conversion of the matrimonial suit from Section 13 into Section 13B of the Hindu Marriage Act, more than 14 months have passed.

6. Taking into consideration the fact that the matrimonial suit is for divorce on mutual consent, I direct the Additional Principal Judge, Family Court, Patna to dispose the Matrimonial Suit No. 793 of 2012 within a period of three months from the date of production/receipt of this order.

7. Instant petition stands disposed of with the above observation and direction.

(Anil Kumar Sinha, J)

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