

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

CIVIL WRIT PETITION NO. 2027 OF 2022

Mr. Anil s/o. Chandravadan Mishtry Petitioner
Versus
The State of Maharashtra & anr. Respondents

Mr. Prajot H. Jaggi a/w Daksha A. Parmar, for the Petitioner
Mr. Sachin H. Kankal, AGP for the Respondent No.1.
Mr. Omkar Nagwekar i/b. Prabha Badadare for the Respondent No.2.

CORAM : SARANG V. KOTWAL, J.

DATE : 25th FEBRUARY, 2022

P.C. :

1. The Petitioner-husband has approached this Court with a prayer for direction to the Family Court, Bandra, Mumbai to hear and decide the divorce Petition being Petition No.A-2919/2014 alongwith all interlocutory proceedings taken out therein, within a time frame program.

2. Learned counsel for the Petitioner has invited my attention to the roznama which shows that about 83 days were given to decide the interlocutory Application in the said divorce Petition and the same has still not reached to its logical conclusion, and even the divorce Petition has not been concluded. He has also invited my attention to the previous orders passed by this Court. In this

connection, he prays for a time frame program for deciding the matrimonial Petition.

3. Learned counsel for the Respondent has left it to the discretion of this Court to decide this Petition.

4. I have considered these submissions. The order dated 17th December, 2019 passed in Writ Petition No.7806 of 2018 directed the Family Court to hear and decide the Application for expediting the hearing of the proceedings within two months from the date of order. Even that Application made by the Petitioner is still not decided.

5. Thereafter, the Petitioner had again approached this Court by filing Writ Petition (ST) No.92863 of 2020 in which vide order dated 18th September, 2020, the observations were made that it was expected that the Family Court to pass an appropriate orders considering the workload available with it and the administrative instructions issued by the High Court.

6. Even after that, there is no progress in the main Petition before the Family Court. Even the Application for expediting the hearing is not yet decided. Therefore, it is necessary to direct the Family Court now to decide the Petition and all the Interim

Applications in the main Petition within a time frame. The parties are before that Court since 2014.

7. Hence, the following order;

ORDER

- (i) The learned Judge of the Family Court at Bandra, Mumbai, shall decide Petition No.A-2919/2014 and all interlocutory proceedings taken therein within a period of one year from today.
- (ii) With these observations, the Civil Writ Petition is disposed of.

(SARANG V. KOTWAL, J.)