

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

131

CR No.4978 of 2022

Date of Decision : 06.12.2022

Surjit Singh

....Petitioner

VERSUS

Kulwinder Kaur

....Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Shubham Goyal, Advocate for the petitioner.

ALKA SARIN, J. (Oral)

The present revision petition has been filed under Article 227 of the Constitution of India for issuance of a direction to the Additional Principal Judge, Family Court, Jalandhar to expedite the petition filed by the petitioner under Section 13 of the Hindu Marriage Act, 1955.

On 22.09.2020 notice of the divorce petition was issued. Thereafter, the case was adjourned in view of the direction issued by this Court due to the circumstances arising out of the outbreak of Novel Corona virus (Covid-19 Pandemic). On 08.03.2021, since notice issued to the respondent had not been received back, fresh notice was issued through the Jail Superintendent. Yet again on 08.07.2021 notice issued to the respondent was received back unserved with the report that there was no such person at Women Cell, Central Jail, Ludhiana. Fresh notice was again issued to the respondent for 30.09.2021. On 30.09.2021 production warrants were issued qua the respondent. On 09.11.2021 fresh production warrants were issued. On 26.11.2021 the case was not taken up as the officer was holding Camp Court at Nakodar and the case was adjourned to 07.12.2021. On 07.12.2021 fresh production warrants were again issued. Yet again on 25.03.2022 fresh

production warrants were issued. On 02.07.2022 a counsel put in appearance on behalf of the respondent and the matter was adjourned to 01.09.2022 for filing the written statement. Subsequent orders are not available on the file. However, learned counsel for the petitioner states that the written statement has since been filed and now the case is fixed for evidence of the petitioner.

Learned counsel for the petitioner has not been able to show how the Court is at fault or is not dealing with the matter as required. In fact the delay can neither be attributed to the Court nor to the respondent. This Court cannot turn a blind eye to the fact that 3938 marriage petitions are pending in the Family Court, Jalandhar as per data available on the National Judicial Data Grid. There is no case made out of exceptional hardship in the present case to permit the petitioner to steal a march over the 3938 matters already pending before the Court.

In view of the above, I do not find any ground to interfere in the present revision petition which is accordingly dismissed. Pending applications, if any, also stand disposed off.

06.12.2022
jk

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO