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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**+ CM(M) 1030/2022
NEERAJ

..... Petitioner

Through: Mr. Chirag Khurana, Advocate.

versus

MANISHA

..... Respondent

Through: None.

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*Date of Decision: 26th September, 2022.***CORAM:****HON'BLE MR. JUSTICE DINESH KUMAR SHARMA****J U D G M E N T****DINESH KUMAR SHARMA, J. (Oral)****CM APPL.42460/2022 (exemption) & CM APPL.42461/2022 (exemption from filing the complete TCR)**

Exemptions allowed subject to all just exceptions.

CM APPL.42462/2022 (delay in re-filing the petition)For the reasons stated in the application, the application is allowed.
The delay in re-filing the petition is condoned.

The present application stands disposed of.

CM(M) 1030/2022

1. Present petition has been filed seeking directions for expeditious disposal of HMA Case No.1340/2019 titled as “*Neeraj vs. Manisha*” pending in the Court of learned Judge, Family Court, Dwarka District Courts, South West District.

2. Section 21B of the Hindu Marriage Act, 1955 provides as under:-



“21B Special provision relating to trial and disposal of petitions under the Act. —

(1) The trial of a petition under this Act shall, so far as is practicable consistently with the interests of justice in respect of the trial, be continued from day to day until its conclusion unless the court finds the adjournment of the trial beyond the following day to be necessary for reasons to be recorded.

(2) Every petition under this Act shall be tried as expeditiously as possible and endeavour shall be made to conclude the trial within six months from the date of service of notice of the petition on the respondent.

(3) Every appeal under this Act shall be heard as expeditiously as possible, and endeavour shall be made to conclude the hearing within three months from the date of service of notice of appeal on the respondent.”

3. The intention of legislature behind inserting a special provision under law is to ensure that such matters are disposed of expeditiously. There cannot be any doubt to the proposition that the Courts are bound to follow the laws scrupulously. However, this Court is conscious of the pendency of the cases before the learned Trial Courts. Thus, without making any specific direction as to the timeframe, the Trial Court, in accordance with the spirit of law, is directed to make an endeavour to dispose of the petition as expeditiously as possible in accordance with law.

4. Accordingly, the present petition stands disposed of.

DINESH KUMAR SHARMA, J

SEPTEMBER 26, 2022/st