

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

122

CR No.7143 of 2023.

Date of Decision: 29.11.2023.

Parmod Kharb

....Petitioner.

Versus

Smt. Vijay

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Pradeep Panwar, Advocate for petitioner.

Lalit Batra, J.(Oral)

This civil revision petition under Article 227 of the Constitution of India read with Section 21-B of the Hindu Marriage Act, 1955 (for short, 'Act, 1955') has been filed by petitioner seeking direction to Family Court, Karnal, to expedite the trial of case HMA No.02/2019 titled 'Parmod Kharb vs. Smt. Vijay'.

2. Learned counsel for petitioner *inter alia* contends that case HMA No.02/2019, as detailed above, is pending adjudication before Family Court, Karnal, for the last about five years. Evidence of petitioner has already been concluded and at present case is fixed for recording respondent's evidence. Prayer has been made to expedite the trial of above said petition and for this purpose, learned counsel for petitioner refers to provisions of Section 21B of Act, 1955, which is reproduced 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) xx xx xx xx

3. In view of above, although this Court will not issue any mandate to learned Trial Court (Family Court), Karnal, but at the same time taking into consideration the fact that case HMA No.02/2019 titled 'Parmod Kharb vs. Smt. Vijay' is pending adjudication since 02.01.2019, it would be appropriate to dispose of the present petition with a request to learned Trial Court (Family Court), Karnal, to expedite the trial by making earnest and sincere efforts, without prejudice to the rights of either petitioner or respondent.

(LALIT BATRA)
JUDGE

29.11.2023

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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No