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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 8622 OF 2024**

Deepak Lalitprasad Pant ... Petitioner

vs.

Madhurima Deepak Pant ... Respondent

Mr Dushyant Purekar, for Petitioner

Ms. Firoza Daruwal i/b. Prabha U. Badadare for Respondent

Mr. Deepak Pant petitioner present in person

CORAM : GAURI GODSE, J.

DATED : 22nd AUGUST 2024

VARSHA
VIJAY
RAJGURU

ORDER:

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1. This petition is filed by the husband seeking directions to the family court to decide the proceedings between the parties as expeditiously as possible. The pending petitions are the divorce petition and the counter-claim by the husband for restitution of conjugal rights and for recovery of the amount from the wife. An application was filed for contempt, alleging a breach by the wife regarding the order of access.

2. Learned counsel for the petitioner pointed out the roznama

and submitted that though the issues are framed in the divorce petition, the petition is being adjourned for the wife's examination-in-chief. He, therefore, submits that necessary directions may be passed for expediting and directing early disposal of the pending proceedings.

3. Learned counsel for the respondent-wife submits that the petitioner has repeatedly filed various applications, and hence, there is a delay in the matter. She further submits that since the legible copies annexed by the petitioner to his counter-claim were not supplied, the respondent was unable to file her evidence affidavit. She, however, submits that the evidence affidavit shall be filed by the respondent at the earliest, even if the petitioner does not supply a legible copy. Learned counsel for the respondent submits that, in fact, this court, in a separate petition, has already passed an order expediting the hearing of Family Court proceedings. She submits that this Court passed such an order on 22nd December 2022, which is annexed on page 122 of this petition.

4. Learned counsel for the petitioner on instructions submits that the petitioner does not intend to file more applications in the proceedings, and he shall cooperate for early disposal of the

proceedings.

5. A perusal of the roznama indicates that the petition is pending for filing examination-in-chief of the respondent. However, various other applications are filed by the parties and various orders passed in the matters.

6. In view of the recent decision of the Hon'ble Apex Court in the case of *High Court Bar Association, Allahabad Vs State of U.P. and others*¹, such prayers for expediting the matter and issuing directions to the trial court can be passed only in exceptional circumstances. In the present case, there are no exceptional circumstances seen to issue direction as prayed in the petition. However, since the pending proceedings also involve the issue of access and custody of minor children the parties are expected to cooperate for early disposal of the proceedings.

7. The writ petition is therefore disposed of with aforesaid clarification.

(GAURI GODSE, J.)

¹ 2024 SCC Online SC 207