

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR-1891-2024 (O&M)
Date of decision : 01.04.2024

Deepak Punia ... Petitioner(s)
Versus
Ankita Duhan ... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Priyanshu Kamra, Advocate for the petitioner.

ALKA SARIN, J. (ORAL)

1. This is a revision petition under Article 227 of the Constitution of India for issuance of directions to the Family Court to expedite the hearing of the divorce petition.
2. The present petitioner had approached the Court earlier by filing CR No.4430 of 2022 which was disposed off vide order dated 14.10.2022 whereby the Family Court was directed to speed up the trial and conclude the same expeditiously without affording unnecessary adjournments to the parties. The petitioner has now approached this Court stating that the matter is still pending and that the Family Court has not expedited the hearing. The learned counsel for the petitioner would contend that the petitioner is a Pilot with the Indian Air Force and is facing difficulty since the matter is not being decided.
3. As per the dashboard of Family Court, Hisar available on the website of National Judicial Data Grid, there are 2155 cases pending before

the Family Court concerned, out of which 196 cases are 3 to 5 years old.

4. Hon'ble Supreme Court in the case titled as **High Court Bar Association, Allahabad Vs. State of U.P. & Ors. [2024 (2) RCR (Civil) 199]** has held in para No.37(c) as under :

“37(c) Constitutional Courts, in the ordinary course, should refrain from fixing a time-bound schedule for the disposal of cases pending before any other Courts. Constitutional Courts may issue directions for the time-bound disposal of cases only in exceptional circumstances. The issue of prioritizing the disposal of cases should be best left to the decision of the concerned Courts where the cases are pending”

5. There are no exceptional circumstances which have been pointed out by the learned counsel for the petitioner enabling the petitioner to steal a march over all the cases which have been pending prior to the institution of the divorce case by the petitioner. In any case there is already a direction by this Court vide order dated 14.10.2022 passed in CR-4430-2022 to speed up the trial and conclude the same expeditiously.

6. In view of the above, there is no occasion for this Court to pass any further orders in the present case. The present revision petition is accordingly dismissed. Pending applications, if any, also stand disposed off.

01.04.2024

Yogesh Sharma

(ALKA SARIN)
JUDGE

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