SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			UKHC010198212026 **WPMS/3424/2026** Tanmay Kandpal --Petitioner **Versus** Mrs Monika Joshi --Respondent **Hon'ble Siddhartha Sah, J.** Ms. Disha Vashistha, learned counsel for the petitioner. 2. By means of the present writ petition, the petitioner has sought the following relief:- "(i) Issue a writ, order or direction in the nature of Mandamus directing the learned Principal Judge, Family Court, Haldwani, District Nainital, to decide Original Suit No.171 of 2025, titled as "Tanmay Kandpal vs. Monika Joshi", pending before the court concerned, expeditiously, preferably within a period of one month." 3. Learned counsel for the petitioner submits that the petitioner has instituted Original Suit No. 171 of 2025 under Section 25(1)(ii) of the Uniform Civil Code, seeking dissolution of marriage by a decree of divorce against the respondent on the ground of cruelty. 4. It is further contended in the petition that despite the institution of the aforesaid suit and the passage of considerable time, the matter has not yet been finally adjudicated and has been adjourned on several dates, as is evident from the order sheet of the proceedings. 5. It is further contended in the petition that the petitioner is suffering from considerable mental agony and hardship on account of the prolonged pendency of the matrimonial dispute,

particularly when the parties have been living separately for a substantial period and their matrimonial relationship has remained strained.

6. It is also contended in the petition that the petitioner is ready and willing to cooperate with the proceedings before the court below and undertakes not to seek any unnecessary adjournments.

7. When the Court put a query to learned counsel for the petitioner as to whether there is any provision under the Uttarakhand Uniform Civil Code for the expeditious disposal of divorce suits, learned counsel for the petitioner relied upon a judgment rendered by a Coordinate Bench of this Court in Mayank Gupta vs. Deepika Gupta, reported in 2025 SCC OnLine Utt 4108, and drew the attention of the Court to paragraphs 4, 5 and 6 thereof, which are extracted hereunder for ready reference: -

> *"4. Apart from this, learned counsel for the petitioner has placed reliance upon the Uttarakhand Case Law Management (for Subordinate Courts) Rules, 2009, framed by the High Court of Uttarakhand under Article 227 of the Constitution of India, wherein the categorization of cases has been provided. Matrimonial cases fall in 'Track-1' under Rule 3(2) of the said Rules. She further submits that these Rules also stipulate that all endeavours shall be made to decide Track-1 cases, Including matrimonial matters, within one year. 1*
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> *5. From perusal of the record, it appears that the petitioner has approached this Court too early enthusiastically. However, in view of the legal mandate contained in the Hindu Marriage Act itself, as well as in the 2009 Rules framed by this Court, this Court is inclined to interfere in the matter.*
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> *6. Accordingly, the writ petition is allowed. The learned Principal Judge, Family Court, Dehradun, is directed to conclude and decide the hearing of H.M.A. Case No. 857 of*

2024, Mayank Gupta v. Deepika Gupta, under Section 13(1)(ib) of the Hindu Marriage Act, as expeditiously as possible, but in any case not later than six months from the date of production of a certified copy of this order."

8. In the said judgment, the Coordinate Bench has relied upon the Uttarakhand Case Flow Management (for Subordinate Courts) Rules, 2009.

9. In such view of the matter, since the divorce petition appears to have been verified on 17.09.2025 and learned counsel for the petitioner has contended that the same was instituted in September, 2025, this Court finds that, in view of the pendency of the aforesaid divorce petition since September, 2025, the Uttarakhand Case Flow Management (for Subordinate Courts) Rules, 2009, and the judgment rendered by the Coordinate Bench in Mayank Gupta (supra), the writ petition deserves to be allowed.

10. In view of the above, the learned Additional Principal Judge, Family Court, Haldwani, Nainital, is directed to conclude the hearing and decide Original Suit No. 171 of 2025, titled Tanmay Kandpal vs. Monika Joshi, as expeditiously as possible, in accordance with law, without granting any undue adjournments to either party, within a period of eight months.

11. Accordingly, the present Writ Petition stands disposed of.

(Siddhartha Sah, J.)
04-11-2026

Akash