2026:AHC:213001

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 529 BNSS No. - 4884 of 2026

Manorma Devi And Another

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Anil Kumar Tiwari
Counsel for Opposite Party(s)	:	G.A.

Court No. - 82

HON'BLE JAI PRAKASH TIWARI, J.

Heard learned counsel for the applicant and learned A.G.A for the State as also perused the record.

This application under Section 529 BNSS has been filed seeking direction to the court concerned to decide Case No. 1875 of 2025 (Manorma Devi and another vs. Binod Kumar Giri), under Section 147 BNSS/128 Cr.P.C., pending before the court of learned Principal Judge, Family Court, Jaunpur, expeditiously within stipulated period.

It is submitted by learned counsel for the applicants that applicant No. 1 has a daughter, applicant No. 2, aged about six years, who is residing with her mother (applicant No. 1). It is further submitted that applicant No. 1, along with her daughter, is residing at her parental home and is somehow managing to meet the expenses of her daughter's maintenance and livelihood. It is further submitted that applicant No. 1 initially instituted Case No. 1763 of 2022 under Section 125 Cr.P.C. against opposite party No. 2 before the court concerned. Upon consideration of the pleadings and evidence on record, the learned court concerned awarded monthly maintenance of Rs. 1,400/- to applicant No. 1 and Rs. 600/- to applicant No. 2. It is further submitted that despite the lapse of approximately three years, opposite party No. 2 has not paid any amount towards the maintenance awarded by the learned court concerned. Consequently, the applicants instituted Execution Case No. 1875 of 2025 under Section 147 of the Bharatiya Nagarik Suraksha Sanhita/128 Cr.P.C., against opposite

party No. 2 for enforcement of the maintenance order. It is lastly submitted that the aforesaid execution proceedings are still pending consideration before the court concerned.

Considering the above facts and circumstances without expressing any opinion on the merits of the case, this application is finally **disposed of** with a direction to the court concerned to decide the execution case filed under Section 128 Cr.P.C./147 BNSS, in accordance with law, without granting any unnecessary or long adjournments to the parties as expeditiously as possible, preferably within a period of six months from the date of production of a certified copy of this order, if there is no other legal impediment.

(Jai Prakash Tiwari,J.)

October 9, 2026
Brijesh

Digitally signed by :-
BRIJESH KUMAR
High Court of Judicature at Allahabad