2026:AHC:207263

HIGH COURT OF JUDICATURE AT ALLAHABAD

MATTERS UNDER ARTICLE 227 No. - 13947 of 2026

Saroja Devi And Another

.....Petitioner(s)

Versus

State of U.P. and Another

.....Respondent(s)

Counsel for Petitioner(s)	:	Devendra Yadav
Counsel for Respondent(s)	:	G.A.

Court No. - 55

HON'BLE VIKRAM D. CHAUHAN, J.

1. Heard learned counsel for the petitioners and learned AGA for the State.

2. The present petition has been filed by the petitioners with the following relief:-

"I. Direct the Principal Judge Family Court, Jaunpur to decide the Execution Case No.821 of 2025 (Saroj Vs. Ashok), under Section 128 Cr.P.C./147 of B.N.S.S. within stipulated period as fixed by this Hon'ble Court."

3. Learned counsel for the petitioners submits that the proceedings before the court concerned be directed to be concluded in a time bound manner. It is submitted by learned counsel for the petitioners that the petitioners are the informant before the court concerned.

4. Learned AGA submits that the speedy trial is one of the essential requirement of judicial process and he submits that the present petition may be decided in terms of judgement dated 29.2.2024 passed by Supreme Court in **High Court Bar Association, Allahabad Vs State of U.P and others – 2023 INSC 150.**

5. The prayer in the present petition by the petitioners is for disposal of the above mentioned case in a time bound manner. The Supreme Court in a recent judgement dated 29.2.2024 being **High Court Bar Association, Allahabad Vs State of U.P and others (supra)** has held as under :-

"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 prioritising the disposal of cases should be best left to the decision of the concerned Courts where the cases are pending; and"

6. Learned counsel for the petitioners has not shown any exceptional circumstances to issue direction at this stage. Considering the nature of prayer made by counsel for the petitioners, the interest of justice would be served, in the event, the petitioners applies before the court concerned for expeditious disposal of the above mentioned case.

7. In view of the aforesaid, the present petition is disposed of with liberty to the petitioners to prefer an application before the court concerned for disposal of the above mentioned case in a time bound manner. In the event any such application is filed by the petitioners before the court concerned, the court concerned shall consider the same and pass appropriate order in accordance with law. It goes without saying that the parties shall co-operate in the trial court proceeding.

8. It is also provided that in the event there is any legal impediment before the court concerned in disposal of the case, then the court concerned shall pass an appropriate order disclosing the legal impediment as to why the proceedings of the above mentioned case cannot be proceeded with.

9. The present petition is accordingly disposed of with the aforesaid direction.

(Vikram D. Chauhan,J.)

October 5, 2026
VMA

Digitally signed by :-
VISHWA MOHAN ARORA
High Court of Judicature at Allahabad