

Neeraj Agarwal vs Smt. Anchal Gupta on 28 March, 2025

Author: Rohit Ranjan Agarwal

Bench: Rohit Ranjan Agarwal

HIGH COURT OF JUDICATURE AT ALLAHABAD

?Neutral Citation No. - 2025:AHC:44098

Court No. - 9

Case :- MATTERS UNDER ARTICLE 227 No. - 3078 of 2025

Petitioner :- Neeraj Agarwal

Respondent :- Smt. Anchal Gupta

Counsel for Petitioner :- Rahul Singh Tomar

Hon'ble Rohit Ranjan Agarwal,J.

1. This writ petition has been filed with the following prayer:

"i) Issue a order or direction, directing the court of Additional Principal Judge (Family Court No. 1) Meerut to conclude and decide the Case No. 1326 of 2022 (Neeraj Agarwal Vs. Anchal Gupta) u/s 13 of Hindu Marriage Act within stipulated period as directed by this Hon'ble Court."

2. It is contended by counsel for the petitioner that divorce petition is pending consideration since 2022.

3. Section 21B of Hindu Marriage Act, 1955 (hereinafter referred to as "Act of 1955") provides as under :

"21B. Special provision relating to trial and disposal of petitions under the Act.?

(1) The trial of a petition under this Act shall, so far as is practicable consistently with the interests of justice in respect of the trial, be continued from day to day until its conclusion unless the court finds the adjournment of the trial beyond the following day to be necessary for reasons to be recorded.

(2) Every petition under this Act shall be tried as expeditiously as possible and endeavour shall be made to conclude the trial within six months from the date of service of notice of the petition on the respondent.

(3) Every appeal under this Act shall be heard as expeditiously as possible, and endeavour shall be made to conclude the hearing within three months from the date of service of notice of appeal on the respondent."

4. As the Act of 1955 itself provides for deciding the divorce petition within fixed period of time, there is no need for issuing a separate direction to the Court concerned. The Additional Principal Judge (Family Court No. 1) Meerut to proceed in accordance with Section 21B of Act of 1955.

5. Writ petition stands disposed of.

Order Date :- 28.3.2025 V.S.Singh