

**Court No. - 7**

**Case :-** MATTERS UNDER ARTICLE 227 No. - 2373 of 2024

**Petitioner :-** Smt. Prity Pandey

**Respondent :-** Addl. Principal Judge, Court No. 2, Family Court, Lko. And Another

**Counsel for Petitioner :-** Anil Kumar Tiwari, Brijesh Kumar Shukla, Pradeep Kumar Rai

**Hon'ble Alok Mathur, J.**

1. Heard learned counsel for the petitioner.
2. In view of the proposed order notice to private respondents is dispensed with.
3. By means of the present petition under Article 227 of the Constitution of India a prayer has been made for expeditious disposal of Original Suit No. 2323 of 2020 (Ankur Pandey Vs. Preeti Pandey) filed under Section 13(1) (ia) of Hindu Marriage Act, 1955 pending before Additional Principal Judge, Court No. 2, Family Court, Lucknow.
4. Learned counsel for the petitioner submits that grievance of the petition would be sufficiently met in case Additional Principal Judge, Court No. 2, Family Court, Lucknow, considers and decides the aforesaid case in the time bound manner.
5. Considering the fact that the claim petition was filed in 2020 of which proceedings are underway and from the perusal of the writ petition, there is no disclosure of any extra ordinary circumstance as to why this Court should exercise its jurisdiction under Article 227 of the Constitution of India to direct the trial court to decide the same expeditiously.
6. This Court is conscious of the fact that the trial courts are burdened to heavy dockets and in a routine manner directions cannot be passed to the trial court to decide any particular case out of turn expeditiously. It is when some extra ordinary circumstance is made out only then it would be appropriate for this Court to exercise its extra ordinary jurisdiction under Article 227 of the Constitution of India. There also liberty should be given to the petitioner to place his grievances before the trial court who after looking into the urgency as well as dockets situation and pass appropriate orders to expedite the

suit proceedings. In the present case no such circumstances has been mentioned or made out requiring interference of this Court under Article 227 of the Constitution of India.

7. However, liberty is given to the petitioner to move appropriate application detailing urgency for expeditiously disposal of the suit before the trial court. In case, such application is moved within two weeks from today the trial court shall consider and decide the same expeditiously, say, within three weeks thereafter. In case, the trial court is prima facie satisfied that a case for urgency is made out it shall pass suitable order thereon.

8. With aforesaid observation and direction the petition stands **disposed of.**

**(Alok Mathur, J.)**

**Order Date :- 14.5.2024**

Ravi/