



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-10473-2025 (O&M)

Date of Decision : **22.05.2025**

COL. PRASHANT PANDIT

.....Petitioner

VERSUS

MAJ. (RETD.) DR. MONICA KHANNA

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Dr. Juhi Goel , Advocate,
for the petitioner.

KULDEEP TIWARI, J.(Oral)

CM-7592-CWP-2025

1. Application is allowed subject to all just exceptions, and the zimni orders in case HMA/1113/2023, dated 28.7.2023, are ordered to be taken on record as Annexure P-7 (colly.) and exemption is also granted from filing the certified copies thereof.

CWP-10473-2025

2. Through the instant writ petition filed under Article 226/227 of the Constitution of India, a prayer is made for issuance of a *mandamus* upon Principal Presiding Judge, Family Court, Gurugram, to adjudicate the case HMA/1113/2023, dated 28.7.2023, titled as “Col.Prashant Pandit vs. Maj.(Retd.) Monica Khanna”(Annexure P-1), and specifically in view of the mandatory provisions of Section 21-B of the Hindu Marriage Act, 1955 (as amended upto date).

3. This Court has perused the *zimni* orders, as have been placed on record vide Annexure P-7 (Colly.), which reflects that out of 10 adjournments, 05 adjournments are directly attributed to the present petitioner. What further reflects that the final adjudication of application filed under the provisions of Section 24 of the Hindu Marriage Act, 1955, is still pending before the Family Court concerned, wherein, the petitioner has also sought time for filing his response.

4. Though there is no dispute about the mandate, as enclosed in Section 21-B of the Hindu Marriage Act, however, this Court cannot obviate the facts regarding the heavy docket of Family Courts, therefore, such a *mandamus* may not be practically feasible, upon the Presiding Officer to take up the instant matter on priority basis, over and above the matters which are already pending consideration. Further, This Court does not find any inordinate delay on the part of the Family Court concerned, in the progress of the proceedings of the instant matter, which is very much clear from the *zimni* orders. Therefore, the asked for *mandamus* is hereby, **declined**.

5. However, considering the age of the present petitioner as well as that of the respondent, this Court deems it apt to direct the Family Court concerned, to make all its endeavours to decide the instant matter, most expeditiously.

May 22, 2025

dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No