



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

129

CR-1387-2025 (O&M)
Date of Decision: 06.03.2025

Harish Chander Gandhi

...Petitioner

V/s

Neelam Rani

...Respondent

CORAM : HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Ramneek Singh Baweja, Advocate, for the petitioner.

VIKRAM AGGARWAL, J (ORAL)

The present revision petition has been preferred under Article 227 of the Constitution of India for the issuance of directions to the Court of learned Principal Judge, Family Court, Patiala to expedite the hearing in the petition preferred by the petitioner under Section 13 of the Hindu Marriage Act, 1955 (for short the "HMA") for dissolution of marriage.

2. The petitioner preferred a petition under Section 13 of the HMA for dissolution of marriage solemnized by the petitioner with the respondent. It is the case of the petitioner that the said petition was preferred in the year 2017 and the respondent is delaying the disposal of the same. It is the case of the petitioner that after the framing of issues, when the matter was fixed for evidence of the petitioner, an affidavit of the petitioner was tendered in evidence on 21.03.2022 and the cross-examination of the petitioner was completed on 16.05.2023 after availing more than 18 opportunities by the respondent. Further, 38 opportunities had been granted to the respondent to lead and conclude her evidence but till date she has not herself appeared as a witness. The interlocutory orders have been placed on record as Annexures P-2 to P-38.



3. It is the case of the petitioner that he is a Government employee and is presently posted as a Senior Accounts Officer in PSPCL and has to take leave from office to attend the Court proceedings and other litigations which have been thrust upon the petitioner by the respondent which has caused lot of mental, physical and financial strain to the petitioner.

4. I have heard learned counsel for the petitioner.

5. Learned counsel for petitioner has referred to the interlocutory orders and submits that directions be issued to the Court concerned to expedite the proceedings and decide the matter in a time bound manner.

6. I have considered the submissions made by learned counsel for the petitioner.

7. There would be no necessity of issuing notice to the respondent, for in view of the nature of the order that is proposed to be passed, no prejudice would be caused to them.

8. The petition was first preferred by the petitioner in the year 2017. Eight years have gone by. A perusal of the interlocutory orders shows that right from 23.08.2022 to 21.02.2023, the petitioner remained present before the Family Court, Patiala for cross-examination but he was not cross-examined. Further, the matter remains pending for evidence of the respondent from 21.10.2023 till date. The interlocutory orders (Annexures P-3 to P-38) have been perused. It is quite shocking that innumerable opportunities have been availed by the respondent but the evidence has yet not been concluded.

9. This Court is conscious of the fact that all Courts are having a huge number of cases on their board. The cause lists are heavy. Taking up all cases is a task in itself. However, at the same time, litigation should not become a means of harassment and that too willful, at the instance of a



particular party. In the present case, it is quite evident that the matter is being delayed at the instance of the respondent. There is absolutely no justification for a matter of the kind to remain pending for more than eight years. Courts have to be sensitive to the fact that only limited opportunities have to be granted for evidence.

10. Keeping in view the totality of the facts and circumstances, as have been noticed above, the present petition is disposed of with a direction to the Court of learned Principal Judge, Family Court, Patiala to expedite the proceedings in the present case and decide the same on or before 31.07.2025. The matter may be preponed, if so required, after due notice to either side and requisite steps be taken to comply with the directions of this Court.

Pending application(s), if any, shall also stand disposed of.

(VIKRAM AGGARWAL)
JUDGE

March 06, 2025

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No