



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 26TH DAY OF JULY, 2023

BEFORE

THE HON'BLE MR JUSTICE KRISHNA S DIXIT

WRIT PETITION NO. 14769 OF 2023 (GM-FC)

BETWEEN:

SRI. N RAJEEV,
S/O LATE Y.C. NARAYANAPPA,

...PETITIONER

(BY SRI. BASAVARAJ R BANNUR.,ADVOCATE)

AND:

SMT. C. DEEPA,
W/O RAJEEV
D/O SHRI CHANDRASHEKAR

...RESPONDENT

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA, PRAYING TO DIRECT TO THE VTH ADDL JUDGE FAMILY COURT, BANGALORE TO DISPOSE OF PROCEEDINGS IN M.C 2514/2016 FILED U/S 13(1) (IA) OF THE HINDU MARRIAGE ACT 1955 BY THE PETITIONER UNDER SEC 13 WITHIN 3 MONTHS VIDE ANNEX-A TO THE WP.

THIS PETITION COMING ON FOR PRELIMINARY HEARING THIS DAY, THE COURT MADE THE FOLLOWING:





ORDER

The short grievance of the petitioner is as to the long pendency of his matrimonial case in M.C.No.2514/2016 wherein he has sought for a decree for the dissolution/nullity of marriage, qua the respondent, on fault grounds. Learned counsel for the petitioner submits that the right to speedy justice being recognized by the Apex Court as a constitutional guarantee under Article 21, a direction is to be issued for the expeditious disposal of the said case.

2. Notice to respondent spouse is dispensed with since no order adverse to her interest is being made and further she will have full opportunity of participation in the trial of the subject case at the hands of the court below. Added, she too will have the advantage of early disposal.

3. Having heard the learned counsel for the petitioner and having perused the Petition Papers, this Court is broadly in agreement with the proposition that the matrimonial causes should be tried & disposed off on a war footing, at least as a concession to the shortness of human



life. It was Thomas Carlyle (1795-1881), a British historian of great repute who had said: "*Life is too short to be little*". When a matrimonial case involves the prayer for the dissolution/nullity of marriage, courts should make all efforts to try & dispose off the same within an outer limit of one year, so that in the event of granting such a decree, the parties may restructure their lives. It hardly needs to be stated '*life is lost in living*'. Delay in disposal of such cases very badly affects the parties thereto, needs no deliberation.

In the above circumstances, learned Family Court Judge is requested to accomplish the trial & disposal of the subject seven year old case preferably within an outer limit of three months, all contentions having been kept open.

The Registrar General of this court is instructed to circulate this judgment in all the concerned circles so that other similarly circumstanced litigants may not unnecessarily knock at the doors of this court seeking a direction for the expeditious disposal of their cases.



NC: 2023:KHC:25910
WP No. 14769 of 2023

Registry to send a copy of this judgment to the respondent-wife by Speed Post, immediately.

Sd/-
JUDGE

cbc
List No.: 1 SI No.: 54

Shoneek Kapoor.com