2026:AHC:212243

# HIGH COURT OF JUDICATURE AT ALLAHABAD

**MATTERS UNDER ARTICLE 227 No. - 14324 of 2026**

Sandeep Kharwar

.....Petitioner(s)

Versus

Neha

.....Respondent(s)

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Counsel for Petitioner(s) : Devendra Singh, Hemant Shukla
Counsel for Respondent(s) :

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**Court No. - 9**

**HON'BLE ROHIT RANJAN AGARWAL, J.**

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

> *"a. an appropriate order or direction in the nature of mandamus commanding/directing the Learned Principal Judge Family Court, Mau to decide the Case no. 243 of 2021, "Sandeep Kharwar versus Neha", Under Section 9 of Hindu Marriage Act, pending before Learned Principal Judge Family Court, Mau, within the stipulated period, which may be stipulated by this Hon'ble Court."*

2. It is contended by counsel for the petitioner that petition filed under Section 9 of Hindu Marriage Act for restitution of conjugal rights is pending consideration since 2021.

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 petitions filed under the Act within fixed period of time, there is no need for issuing a separate direction to the Court concerned. The Principal Judge, Family Court concerned to proceed in accordance with Section 21B of Act of 1955.

5. Writ petition stands disposed of.

**(Rohit Ranjan Agarwal,J.)**

**October 9, 2026**
(V. S. SINGH)

Digitally signed by :-
VIDYA SAGAR SINGH
High Court of Judicature at Allahabad