


HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 377/2026

Smt. Sheelu Surana W/o Shri Siddharth Surana D/o Shri Hemant Shah, Aged About 39 Years, R/o Plot No. 4/575, Jawahar Nagar, Jaipur (Raj.)

----Petitioner

Versus

Siddharth Surana S/o Shri Paras Surana, Aged About 41 Years, R/o E- 36 (B), Surana Sadan, Anandpuri, Behind Peelwa Garden, Motidungari Road, Jaipur (Raj.)

----Respondent

For Petitioner(s)	:	Mr. Babulal Gupta with Mr. Rahul Ghiya
For Respondent(s)	:	

HON'BLE MR. JUSTICE SAMEER JAIN

Order

30/04/2026

The present petition is filed seeking directions by this Court to the learned Family Court No.1, Jaipur Metropolitan-I, Jaipur for early disposal of case No.815/2022.

It is submitted that the Act of 1955 mandates under the provisions of Section 21B for adjudication of the matter before the Family Court or matrimonial disputes, within a period of six months, as far as possible. For the sake of convenience relevant provision is reproduced herein below:

"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."*

Learned counsel for the petitioner has submitted that by the aforementioned action, the mandate of Section 21B of the Act of 1955 along with the fundamental rights of the parties as enshrined under the provisions of Article 14 and 21, the encapsulated in the ratio of **Ramrameshwari Devi Vs. Nirmala Devi: (2011) 8 SCC 249, Hussainara Khaton & Ors vs Home Secretary, State Of Bihar, Patna: 1979 AIR 1369**, and judgment dated 16.09.2025 passed by the Division Bench of High Court of Delhi, New Delhi in **MAT. APP. (FC) 138/2023 and CM APPL. 68819/2024 titled Puja Pasricha vs. Aishwarya Pasricha** is frustrated on account of slow functioning/ appropriate or expeditious working of the Family Court. It is unambiguous from the provisions of Section 10 (3) of the Family Courts Act, 1984, that the Family Court may lay down its own procedure with a view to arrive at a settlement in respect of the subject-matter of the suit or proceedings, therefore, needful be down expeditiously.

In view of the foregoing facts and circumstances, this Court deems it appropriate to direct the learned Family Court No.1, Jaipur Metropolitan-I to adjudicate the case *subjudice* before it

(case No.815/2022) as per the mandate of Section 21B of the Act of 1955.

Accordingly, the present petition is disposed of with aforementioned directions. Pending applications, if any, shall stand disposed of.

Registrar (Judicial) is directed to send a copy of this order to the concerned Family Court.

(SAMEER JAIN),J