

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.5392 OF 2016

(Arising out of SLP (C)No.16083 of 2016 @ of
CC No.9059 of 2016)

RAM VENUPRASAD

APPELLANT

VERSUS

SHILPA PILLAI

RESPONDENT

J U D G M E N T

KURIAN, J.

1. Delay condoned.
2. Leave granted.
3. The appellant is aggrieved since the Third Additional Family Court, Chennai was not taking steps to dispose of his case in spite of the direction of the High Court in the judgment dated 29.06.2015 to dispose of the case within a period of three months. When the matter came up before this Court, the following order was passed:

"It is seen from the impugned Judgment that the High Court had directed the Third Additional Family Court, Chennai, to dispose of H.M.O.P. No. 1606 of 2014 within a period of three months from the date of the impugned Judgment. The impugned Judgment was delivered on 29.06.2015.

It is reported that even after almost an year, the said case is not likely to be disposed of.

The Registry is directed to call for a report from the Third Additional Family Court, Chennai, as to what is the reason for not disposing of the above referred case within the time granted by the High Court. The report should reach before this Court within four weeks from today.

Post the matter along with the report on 29.06.2016."

4. The Third Additional Family Court, Chennai has forwarded a report dated 30.05.2016 to this Court stating therein that only because of the non-cooperation on the part of the respondent/wife, the disposal of the case was delayed. Now, respondent/wife has filed her counter affidavit. The Family Court has also reported that the case will be taken up on a day-to-day basis and the same will be disposed of expeditiously. We are informed that the matter now stands posted to 12th July, 2016. We direct the Third Additional Family Court, Chennai to conduct the trial on day-to-day basis and dispose of H.M.O.P. No. 1606 of 2014 on or before 31.08.2016. The appellant is directed to produce the copy of the judgment before the Family Court.

5. The appeal is disposed of with no order as to costs.

.....J.
[KURIAN JOSEPH]

JUDGMENT.....J.
[ROHINTON FALI NARIMAN]

NEW DELHI;
JUNE 29, 2016

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C)..... of 2016
(CC No.9059/2016)

(Arising out of impugned final judgment and order dated 29/06/2015
in CMA No. 833/2015 passed by the High Court of Madras)

RAM VENUPRASAD

Petitioner(s)

VERSUS

SHILPA PILLAI

Respondent(s)

(with c/delay in filing SLP)

Date : 29/06/2016 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE KURIAN JOSEPH

HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

For Petitioner(s)

Mr. Sidharth Luthra, Sr. Adv.

Ms. Supriya Juneja, Adv.

Mr. Anoopam Prasad, Adv.

Ms. Gargi Khanna, Adv.

Ms. Mehaak Jaggi, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following

O R D E R

Delay condoned.

Leave granted.

The appeal is disposed of in terms of signed
non-reportable judgment.

Pending application(s) shall stand disposed of.

(Rajni Mukhi)

SR. P.A.

(Chander Bala)

COURT MASTER

(Signed non-reportable Judgment is placed on the file)