

ORDER BELOW EXHIBIT-20 IN H.M.P. No.63 of 2018

Respondent has filed the present application seeking time to cross-examine the petitioner.

2. It is asserted by her that her learned advocate is busy in the election of 'Akola District Bar Association' and hence he cannot conduct the matter today. Respondent has therefore filed the application to adjourn the matter.

3. Petitioner has filed the say and opposed the application contending that the matter was fixed today as per the choice of the respondent. He has therefore prayed for rejecting the application.

4. Record shows that Issues (Exh.13) have been framed on 29.06.2019. Petitioner has filed his affidavit in lieu of examination in chief (Exh.16) on 27.08.2019. Thereafter, applications (Exhibits-17, 18) have been filed by the respondent. Those applications have been disposed of by orders dated 15.01.2020. It has been rightly pointed out by the petitioner that today's date was fixed as per the choice of the respondent. However, petitioner has not denied the assertions made in the application.

5. It is true that Section 21-B of the Hindu Marriage Act, 1955 mandates a Court to conduct the trial from day to day until its conclusion. It is equally true that sub-section (2) of Section 21-B provides that every petition under the Hindu Marriage Act shall be tried as expeditiously as possible, and endeavour shall be made to conclude the trial within 6 months from the date of service of notice of the petition on the respondent. Record shows that the respondent has

entered appearance on 30.07.2018. Since then, 18 months have already been expired. Mandate of the law, as noted herein before, cannot be ignored and needs to be followed in letter and spirits. Laws are made for implementation and not for the sake of making laws. Having regard to the factual position and the law as noted herein before, petition can be adjourned for a short period of time so as to accommodate the learned advocate representing the respondent. Hence, the application is allowed and the petition stands adjourned till 12.02.2020.

Date : **01.02.2020**

3rd Jt. Civil Judge (S.D.)
Washim.

CERTIFICATE

I affirm that the contents of this P.D.F. file **Order** are same word to word, as per the original order.

Name of the Stenographer : ***Shivam B. Patange.***

Court & Judge Name : **S.K. Khan,**
3rd Jt. Civil Judge (S.D.) Washim.

Order Date : 01.02.2020.

Order signed by the
Presiding Officer on : 01.02.2020.

Order uploaded on : **01.02.2020.**