

IN THE HIGH COURT OF ORISSA AT CUTTACK

TRP(C) No.46 of 2022

Mami @ Sebati Mahapatra **Petitioner**

-versus-

Madhaba Thanapati **Opposite Party**

**CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
08.12.2022**

Order No

04.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.

2. Heard Mr. S.K. Panda, learned counsel for the Petitioner. In spite of due service of notice on the Opp. Party on 25.04.2022, nobody has entered appearance for the Opp. Party. Accordingly, notice against Opp. Party is treated as sufficient.

3. This transfer petition has been filed seeking transfer of C.P. (MAT) Case No. 70 of 2021 pending before the learned Judge, Family Court, Balangir to the Court of learned Judge, Family Court, Baragarh.

4. Mr. Panda, learned counsel for the Petitioner contended that the Petitioner is the wife and the proceeding in question has been filed under Sec. 13(1) of the Hindu Marriage Act by the Opp. Party.

5. Considering the grounds taken in the transfer petition as well as the decisions governing the field and because of the non-appearance of the Opp. Party in spite of due service of notice, this Court is inclined to allow the prayer as made in the transfer petition.

Accordingly, this Court directs learned Judge, Family Court, Balangir to transfer C.P. (MAT) Case No. 70 of 2021 to the Court of learned Judge, Family Court, Baragarh forthwith on receipt of this order.

6. The transfer petition is disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge

Sneha

