

IN THE HIGH COURT OF ORISSA AT CUTTACK

TRPCRL No.9 of 2021

Samir Kumar Panda

....

Petitioner

-versus-

State of Odisha

....

Opposite Party

CORAM: JUSTICE S.PUJAHARI

ORDER

07.02.2022

Order
No.

05.

1. This matter is taken up through hybrid mode.
2. The transfer petition has been filed by the Petitioner challenging the order dated 2nd February, 2021 passed by the learned Sessions Judge, Ganjam at Berhampur in Tr. P. No.01 of 2021 wherein the prayer for transfer of S.T. Case No.43 of 2013, arising out of Seragada P.S. Case No.50 of 2010 on the file of the learned Additional Sessions Judge, Aska for trial at any other place in the judgeship of Ganjam has been rejected on the ground of lack of jurisdiction as the trial in the said case had commenced. The transfer was sought for on the ground of bias of the trial court.
3. Report obtained from the learned Sessions Judge reveals that in the meanwhile, the Presiding Officer concerned has been transferred. Hence, the matter has been rendered infructuous.

4. But, Mr. Devashis Panda, learned counsel appearing for the Petitioner submits that the jurisdiction of the learned Sessions Judge be decided.

5. It is the settled position of law that judicial time should not be killed on matters which has become academic.

6. In view of the same, I am not inclined to accept the submission of Mr. Devashis Panda, learned counsel appearing for the Petitioner to deal with the question of law in this case.

7. Hence, the transfer petition stands disposed of being rendered infructuous.

(S.Pujahari)
Judge

DA

