

IN THE HIGH COURT OF ORISSA AT CUTTACK
CMP No.129 OF 2022

Ramakanta Behera

....

Petitioner(s)

Mr. B.K.Parida,
Advocate

-versus-

Diptirekha Behera

....

Opposite Party(s)

CORAM:
JUSTICE BISWANATH RATH

ORDER
18.02.2022

Order No.
01.

1. Looking to the allegation in withdrawing from the suit at the instance of the wife, for the opinion of this Court wife being one of the plaintiffs in 13(B) of Hindu Marriage Act proceeding has her choice to continue in the suit for joint decree or not. No Court can compel either of the parties to continue with this, particularly keeping in view the serious allegation by the wife and there is absolute right with the wife to not joining the suit with the husband.
2. In the circumstance, this Court finds, there is no infirmity in the impugned order passed by the trial court, Requiring to entertain the CMP, which thus stands dismissed.

(Biswanath Rath)
Judge

S.P. Dash