

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) NO. 4658 OF 2022

***Bharati Behera @ Pradhan and
another*** ***Petitioners***

Miss Shradha Das, Advocate

-versus-

Prasant Kumar Pradhan ***Opp. Parties***

CORAM:
JUSTICE K.R. MOHAPATRA

Order No.

ORDER
15.03.2022

1. 1. This matter is taken up through hybrid mode.
2. 2. This writ petition has been filed for a direction to the learned Judge, Family Court, Rourkela to dispose of Civil Proceeding No. 141 of 2020 filed under Section 25 of the Hindu Adoption and Maintenance Act, 1956 at an early date.
3. 3. Miss Das, learned counsel for the Petitioners submits that the matter is ready for hearing and in fact, recording of the evidence on behalf of the Petitioners is going on. Due to delay in disposal of the Civil Proceeding, the Petitioners are seriously prejudiced as they are facing hardship in meeting with their day-to-day expenses. Further, due to non-cooperation of the Opposite Party-Husband, the matter is being delayed. Learned Judge, Family Court, Rourkela is not taking any coercive measure against the Opposite Party-husband for which the Petitioners are compelled to file this writ petition for the aforesaid relief.

4. Taking into consideration the submission of learned counsel for the Petitioners and on perusal of the order sheet of C.P. No. 141 of 2020 annexed to the writ petition as Annexure-6 series, it is apparent that the matter is ready for hearing. Hence, learned Judge, Family Court, Rourkela should make an endeavour for early disposal of the same in accordance with law.

5. This writ petition is, therefore, disposed of with a direction that in the event the Petitioners file an application for early disposal of C.P. No.141 of 2020 stating the grounds therein within a period of two weeks hence along with certified copy of this order, learned Judge, Family Court, Rourkela shall do well to consider such application at an early date and proceed with the matter accordingly.

6. It is made clear that learned Judge, Family Court, Rourkela is free to take coercive measure if any of the parties fails to cooperate with the Court for early disposal of C.P. No.141 of 2020.

Urgent certified copy of this order be granted on proper application.

(K.R. Mohapatra)
Judge

bks