

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 6173 of 2022

Mamata Debnath @ Nayak ***Petitioner***
Mr. Manoj Kumar Mohanty, Advocate
-versus-
Alok Nayak and another ***Opp. Parties***

CORAM:
JUSTICE K.R. MOHAPATRA

ORDER
15.03.2022

Order No.

1. This matter is taken up through Hybrid mode.
2. This writ petition has been filed for a direction to learned Judge, Family Court, Kendrapara to dispose of Civil Proceeding No.246 of 2018 filed by the Opposite Party under Section 13(1) of the Hindu Marriage Act, 1955 at an early date.
3. Mr. Mohanty, learned counsel for the Petitioner referring to order sheet annexed to the writ petition as Annexure-3, submits that the matter is ready for hearing and posted for adducing evidence on behalf of the Opposite Party, but due to his non-cooperation, the matter is being adjourned since 22nd January, 2022. Due to non-cooperation of the Opposite Party-husband, the Petitioner-wife is seriously prejudiced. Hence, finding no other alternative she has filed the present writ petition.
4. Taking into consideration the submission of Mr.Mohanty, learned counsel for the Petitioner and on perusal of the order sheet as at Annexure-3, it appears that the matter is ready for hearing and is being posted for adducing evidence on

behalf of the Opposite Party (Petitioner in the Civil Proceeding No.246 of 2018).

5. In view of the above, the writ petition is disposed of with a direction that in the event the Petitioner files an application for early disposal of Civil Proceeding No.246 of 2018 pending before learned Judge, Family Court, Kendrapara within a period of two weeks hence along with certified copy of this order, he shall do well to consider the same in accordance with law and proceed in the matter accordingly.

6. Parties are directed to cooperate the learned Judge, Family Court, Kendrapara for early disposal of Civil Proceeding No.246 of 2018. Needless to say that learned Judge, Family Court, Kendrapara would be at liberty to take coercive steps for early disposal of the Civil Proceeding No.246 of 2018, if any of the parties fails to cooperate.

Issue urgent certified copy of the order on proper application.

(K.R. Mohapatra)
Judge

s.s.satapathy