

IN THE HIGH COURT OF ORISSA AT CUTTACK

TRP(C) No. 221 of 2016

Bedanti Nayak

.....

*Petitioner
None*

Vs.

Binod Madhab Dutta

.....

*Opposite Party
In person*

CORAM:

JUSTICE SAVITRI RATHO

ORDER

12.10.2022

Order No.

06.

(Through hybrid mode)

1. In this application under Section 24 of the C.P.C., the petitioner-wife has prayed for transfer of Civil Proceeding No.817 of 2015 filed by the opposite party-husband under Section 9 of the Hindu Marriage Act, in the Court of the learned Judge, Family Court, Bhubaneswar, to the Court of the learned Judge, Family Judge, Balasore.
2. Notice had been issued in this application vide order dated 15.09.2016 and further proceeding in C.P. Case No. 817 of 2015 had been directed to be stayed till the next date. Thereafter the matter was listed on 01.08.2022 and 13.09.2022. On both these dates the opp. party Mr. Binod Madhab Dutta was present through video conferencing mode, but none appeared on behalf of the petitioner and today none appears for the petitioner when the matter is called.
3. The opp. party-Binod Madhab Dutta is present in Court today in person and he states that he wants to file an additional affidavit.

In view of the order proposed to be passed, filing of the

additional affidavit is not necessary.

4. In view of the non-appearance of the counsel for the petitioner consecutively on three dates, it is apparent that the petitioner is not interested to pursue this TRP(C).

5. Accordingly, the TRP(C) is dismissed for non-prosecution.

6. Interim order passed earlier stands vacated.

7. Registry is directed to send a copy of this order to the Court of learned Judge, Family Court, Bhubaneswar.

8. Issue urgent certified copy as per rules.

Sukanta

.....
(SAVITRI RATHO)
JUDGE

