

IN THE HIGH COURT OF ORISSA AT CUTTACK

TRP(C) No.156 of 2022

Annapurna Barik

....

Petitioner

-versus-

Ashok Kumar Barik

....

Opposite Party

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

23.12.2022

Order No

- 06.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard Mr. Julu Khansama, learned counsel for the Petitioner and Ms. Kananbala Roy Choudhury, learned counsel appearing for the Opp. Party.
3. Even though this transfer petition has been filed by the Petitioner-wife seeking transfer of the C.P. No. 51 of 2022 from the Court of the learned Judge, Family Court, Puri to learned Judge, Family Court, Rourkela, but on the intervention of this Court, both the Parties agreed for a compromise. As per the said compromise, it was agreed that both the Parties will file petition under Sec. 13-B before the learned Family Judge, Puri in C.P. No. 51 of 2022 on 16.01.2023. Since it was agreed between the Parties that the husband-Opp. Party will pay a sum of Rs. 8,00,000/- (Rupees eight lakhs) towards permanent alimony to the Petitioner-wife, it is directed that on the date of filing of the petition under Sec. 13-B. Opp. Party-husband shall pay a sum of Rs.4,00,000/- (Rupees Four lakhs) by way of demand draft drawn in favour of the Petitioner-wife out of the aforesaid total amount of Rs.8,00,000/- (Rupees Eight lakhs). Learned Family Judge, Puri is directed to allow the

said petition so filed under Sec. 13-B by 15th March 2023. On the date the date of grant of mutual decree of divorce, Opp. Party-husband shall pay the balance amount of Rs.4,00,000/- (Rupees Four lakhs) also by way of demand draft drawn in favour of the Petitioner-wife. If Opp. Party will fail to pay the amount as directed hereinabove, then the proceeding in C.P. No. 51 of 2022 will be transferred from the Court of learned Judge, Family court, Puri to the Court of learned Judge, Family Court, Rourkela.

4. Since it is submitted by the learned counsel for the Opp. Party-husband that two other proceedings have been initiated by the wife-Petitioner against the Opp. Party in Criminal Misc. Case No. 431 of 2021 & G.R. Case No. 2054 of 2020 pending before the learned SDJM, Panposh at Rourkela, Petitioner-wife is also directed to take appropriate step for closure of both the cases by giving her evidence to the effect that the matter has been compromised and she does not want to proceed with both the matters. Petitioner-wife will take such step on filing of the petition U/s. 13-B of the Act.

5. The transfer petition is disposed of with the aforesaid observation and direction.

(Biraja Prasanna Satapathy)
Judge

Sneha