

IN THE HIGH COURT OF ORISSA AT CUTTACK

TRP(C) No. 161 of 2022

**Chandrika Sahu**

.....

**Petitioner**

*Mr. K.A. Guru, Advocate  
on behalf of Mr.S.K. Sahu, Adv.*

Vs.

**Kamakhya Prasad Jena**

.....

**Opposite party**

*Mr. R.K. Panda, Adv.*

**CORAM:**

**JUSTICE SAVITRI RATHO**

**ORDER**

**16.09.2022**

**Order No.**

04.

(Through hybrid mode)

1. Heard Mr. K.A. Guru, learned counsel on behalf of Mr. S.K. Sahu, learned counsel for the petitioner and Mr. R.K. Panda, learned counsel for the opp. party.
2. In this application under Section 24 of the C.P.C., the petitioner-wife has prayed for transfer of Civil Proceeding Case No.89 of 2022 filed by the opposite party-husband under Section 13(1)(i-a) of the Hindu Marriage Act, in the Court of the learned Judge, Family Court, Rourkela, to the Court of the learned Judge, Family Court, Sambalpur.
3. Mr. K.A. Guru, learned counsel on behalf of Mr. S.K. Sahu, learned counsel for the petitioner submits that the husband is working as Senior Consultant in Tata Consultancy Services, Bhubaneswar and is not paying any maintenance to

the petitioner who is working as a guest faculty lecturer in Jamankira College, Jamankira which is about 50 kms. from the Sambalpur. On account of her meager salary, the petitioner is staying with her widow mother. Her brother and father have expired and there is no male member in her family to accompany her to Rourkela which is about 180 kms. from Sambalpur.

4. Mr. R.K. Panda, learned counsel for the opp. party has filed an objection to the transfer application and submits that the opp. party is apprehensive of going to Sambalpur and submits that the opp. party is agreeable to pay the travelling as well as accommodation expenses of the petitioner, if the case is transferred to Rourkela.

5. Considering the distance between Sambalpur and Rourkela is 180 kms. and the opp. party is apprehensive of going to Sambalpur while the petitioner is apprehensive of going to Rourkela, I feel it would be expedient in the interest of justice, if the case is transferred to an intermediate place i.e. Jharsuguda which is stated to be 60 kms. from Sambalpur and 100 kms. from Rourkela. The opp. party is directed to pay a sum of Rs.6000/- (rupees six thousand only) towards travelling

expenses of the petitioner to Jharsuguda in advance before each date of posting of the case. The learned Judge, Family Court, Jharsuguda shall ensure that the said amount is paid to the petitioner on her appearance on each date.

6. The learned Judge, Family Court, Rourkela is requested to send the record of Civil Proceeding Case No.89 of 2022 to the Court of learned Judge, Family Court, Jharsuguda by 30.09.2022. Learned counsel for both the parties undertake to appear in the Court of the learned Judge, Family Court, Jharsuguda on 21.10.2022 and to cooperate for expeditious disposal of the Civil Proceeding.

7. The TRP (C) is accordingly disposed of.

8. Issue urgent certified copy as per rules.

9. Registry is directed to send a copy of this order to the Court of learned Judge, Family Court, Rourkela forthwith for compliance.

**(SAVITRI RATHO)**  
**JUDGE**