

IN THE HIGH COURT OF ORISSA AT CUTTACK

TRP(C) No.193 of 2022

Manasi Das

....

Petitioner

-versus-

Niranjan Das

....

Opposite Party

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

13.12.2022

Order No

- 02.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard Mr. P. Mishra, learned counsel for the Petitioner. In spite of appearance, nobody is there on behalf of the Opp. Party at the time of call.
3. This transfer petition has been filed seeking transfer of C.P. No. 70 of 2022 pending in the Court of learned Judge, Family Court, Khurda to the Court of learned Judge, Family Court, Rourkela.
4. Learned counsel for the Petitioner contended that the Petitioner after being deserted by the Opp. Party-husband, she is residing with her parents at Rourkela. Not only that in the meantime she has also initiated a proceeding before the learned SDJM, Panposh in Misc. Case No. 458 of 2021 filed under Sec. 12 of the Protection of Women from Domestic Violence Act, 2005. It is also contended that the Petitioner has also filed another proceeding in Civil Proceeding No. 19 of 2022 before the learned Judge, Family Court, Rourkela. Therefore, the proceeding filed by the Opp. Party at Khurda is required to be transferred, taking into account the

distance involved as well as the fact that the Petitioner has got no source of income.

5. Having heard learned counsel for the Petitioner and taking into account the grounds taken in the transfer petition as well as the decisions governing the field, this Court is inclined to allow the prayer as made in the transfer petition. Accordingly, this Court directs learned Judge, Family Court, Khurda to transfer C.P. No. 70 of 2022 to the Court of learned Judge, Family Court, Rourkela forthwith on receipt of this order.

6. The transfer petition is disposed of accordingly.

Sneha



(Biraja Prasanna Satapathy)
Judge