

IN THE HIGH COURT OF ORISSA AT CUTTACK

TRP(C) No.202 of 2022

Jasmin Khuntia

....

Petitioner

-versus-

Biswaranjan Mangaraj

....

Opposite Party

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

07.12.2022

Order No

- 04.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard Mr. B. Biswal, learned counsel for the Petitioner and Mr. H.N. Mohapatra, learned counsel appearing for the Opp. Party.
3. This transfer petition has been filed seeking transfer of C.P. No. 103 of 2022 pending in the Court of learned Judge, Family Court, Puri to the Court of learned Judge, Family Court, Jagatsinghpur.
4. It is contended by Mr. Biswal, learned counsel for the Petitioner that the Petitioner after being deserted by her husband is staying with her parents at Patahal in the district of Jagatsinghpur and she has also got a female child of 6 years old. It is accordingly submitted that in view of the same, the Petitioner is unable to attend the Court at Puri on each and every date.
5. Mr. Mohapatra, learned counsel appearing for the Opp. Party on the other hand contended that the Opp. Party-husband is ready to bear the expenses to be incurred by the Petitioner for her attending the Court at Puri.

6. However, taking into account the grounds taken in the transfer petition and the decisions governing the field as well as the recent decision of the Hon'ble Apex Court reported in the case of *N.C.V. Aishwarya Vs. A.S. Saravana Karthik Sha (Civil Appeal No. 4894 of 2022* decided on 18.07.2022, this Court is inclined to allow the prayer. Accordingly, this Court directs learned Judge, Family Court, Puri, to transfer C.P. No. 103 of 2022 to the Court of learned Judge, Family Court, Jagatsinghpur forthwith on receipt of this order.

7. The transfer petition is disposed of accordingly.

Sneha

(Biraja Prasanna Satapathy)
Judge

