

IN THE HIGH COURT OF ORISSA AT CUTTACK

MATA No. 126 of 2022

Antarikshya Prasad Lenka *Appellant*
Mr. S.K. Behera, Advocate
-versus-

*Banabasini Lenka &
Another* *Respondents*

**CORAM:
JUSTICE S. TALAPATRA
JUSTICE M.S. SAHOO**

**ORDER
19.09.2022**

I.A. No.212 of 2022

Order No.
03.

1. This matter is taken up through hybrid mode.
2. Hear Mr. S.K. Behera, learned counsel appears for the applicant.
3. This application has been filed for converting the appeal to a revision petition with nomenclature RPFAM.
4. There cannot be any mount of doubt that the order dated 19.05.2022 delivered in Cr.P. No.49 of 2016 is an order passed under Chapter IX of the Cr.P.C. As such, any challenge against that order so far as its legality or material irregularity is concerned, would be guided by the provisions of Sub-Section 4 of Section 19 of the Family Courts Act, 1984. Registry has raised the objection for not following the correct

procedure. Let the petition be converted into a revision petition under nomenclature RPFAM. Registry is directed to convert this appeal to a revision petition. Accordingly it is ordered.

5. This application stands allowed and disposed of.

(S. Talapatra)
Judge

(M.S. Sahoo)
Judge

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04.

1. Since the appeal has been converted to a revision petition under Section 19(4) of the Family Courts Act, this matter will be placed to the appropriate bench with assignments of the matters of that nature.

2. Accordingly, this proceeding is released from this Bench.

(S. Talapatra)
Judge

(M.S. Sahoo)
Judge