

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO.16564 OF 2022

Tapan Kumar Bihari

....

Petitioner

Mr. Sanjay Kumar Pattanaik, Advocate

-versus-

Sradhanjali Patra

....

Opp. Party

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

14.07.2022

Order No.

2.
 1. This matter is taken up through hybrid mode.
 2. The Petitioner in this writ petition seeks for a direction for early disposal of Civil Proceeding No. 135 of 2020 pending before learned Judge, Family Court, Puri.
 3. Mr. Pattanaik, learned counsel for the Petitioner submits that the Opposite Party-Wife left the matrimonial home without any justifiable cause. In spite of best efforts, she did not come back to join the matrimonial life with the Petitioner. In that view of the matter, the Petitioner finding no other alternative filed an application under Section 13(1)(i)(ia) of the Hindu Marriage Act, 1955 for dissolution of marriage by a decree of divorce. He also submits that due to non-cooperation of Opposite Party, the matter is lingering for which the Petitioner is highly prejudiced.
 4. Upon hearing learned counsel for the Petitioner and on perusal of the case record, it appears that the case was last posted to 5th July, 2022 for filing objection to the petition for amendment filed by the Petitioner. It also reveals that the matter is not ready for hearing. As such, a direction for early disposal of C.P. No. 153 of 2020 cannot be issued at this stage.

5. This writ petition is, therefore, disposed of with an observation that the Petitioner, if so advised, may file an application before learned Judge, Family Court, Puri for early disposal of C.P. No. 135 of 2020 stating the grounds therein when the matter becomes ready for hearing and in that event, learned Judge, Family Court, Puri may do well to consider such petition for early disposal of C.P. No. 135 of 2020 in accordance with law and proceed with the matter. Parties are directed to cooperate with learned Judge, Family Court, Puri for early disposal of C.P. No. 135 of 2020.

Urgent certified copy of this order be granted on proper application.

(K.R. Mohapatra)
Judge

bks

