

IN THE HIGH COURT OF ORISSA AT CUTTACK

TRP(C) No.214 of 2018

Bijoylakshmi Majhi

....

Petitioner

-versus-

Dr. Bablu Tudu

....

Opposite Party

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

28.11.2022

Order No

14.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.

2. Perused the mediation report dtd.10.11.2022, wherein it has been indicated that the medication became unsuccessful.

3. Heard Mr. D.K. Mohanty, learned counsel for the Petitioner and Mr. Sitakanta Hota on behalf of Mr. S.K. Dwivedy, learned counsel for the Opp. Party.

4. This transfer petition has been filed for seeking transfer of MAT Case No. 964 of 2018 pending before the learned Civil Judge (Sr. Division), Rairangpur to the Court of learned Judge, Family Court at Balasore.

5. Mr. Mohanty, learned counsel for the Petitioner submitted that after her desertion and while serving at Balasore the Petitioner is also residing with her parents in Village Hidinga coming under Chandipur P.S. in the district of Balsore. It is also submitted that since the Petitioner is serving at Balasore, she will not be in position to attend the Court at Rairangpur which will be more than

180 k.m.. It is also submitted that the Opp. Party, Petitioner in MAT Case No. 164 of 2018 is also serving as a Doctor and posted at present in MKCG Medical College & Hospital, Berhampur. Therefore, it will be convenient for Opp. Party to attend the Court at Balasore instead of Rairangpur.

6. Mr. S.K. Hota, learned counsel for the Opp. Party on the other hand submitted that instead of Balasore the matter will be transferred to Baripada as it will be a convenient place for both the Parties.

7. Having heard learned counsel for the Parties and taking into account the fact that the Petitioner is serving at Balasore and residing with her parents at Balasore, this Court is inclined to transfer MAT Case No. 164 of 2018 pending in the Court of learned Civil Judge (Sr. Division), Rairangpur to the Court of learned Judge, Family Court at Balasore. Accordingly, this Court directs learned Civil Judge (Sr. Division), Rairangpur to transfer MAT Case No. 164 of 2018 to the Court of learned Judge, Family Court at Balasore forthwith. Learned Judge, Family Court is also directed to conclude the trial of MAT Case No. 165 of 2018 within a period of 6(six) months from the date of receipt of the records, if there is no other legal impediment.

8. The transfer petition is disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge

Sneha