

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 17082 of 2022

Kedar Kumar Nayak

.....

Petitioner

Miss Rupali Maharana, Advocate
on behalf of Mr. Kousik Ananda Guru, Advocate

-versus-

Truptirekha Nayak

....

Opp. Party

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

19.07.2022

Order No.

1. This matter is taken up through Hybrid mode.
2. This writ petition has been filed seeing for a direction for early disposal of CP No.109 of 2019 pending before learned Judge, Family Court, Kendrapara.
3. Miss Maharana, learned counsel submits that the Petitioner has filed the aforesaid CP for dissolution of marriage by a decree of divorce. Opposite Party-wife has already entered appearance and filed written statement. Conciliation in the matter has already failed. The matter is posted for hearing. However, due to non-cooperation of the Opposite Party hearing could not commence for which the Petitioner is highly prejudiced. Hence, the writ petition has been filed for the aforesaid relief.
4. Submission made by learned counsel for the Petitioner and perusal of materials on record do not give clear picture about the stage of the proceeding pending before the learned Judge, Family Court, Kendrapara. It is also not clear as to whether there is any legal impediment for early disposal of the

said proceeding. Thus, this Court is not in a position to direct the learned Judge, Family Court, Kendrapara for early disposal of the Civil Proceeding.

4.1 However, while disposing of the writ petition this Court observes that the Petitioner, if so advised, may file an application for early disposal of the CP stating the ground therein when the matter becomes ready and in that event, learned Judge, Family Court, Kendrapara shall do well to consider the application for early disposal of the CP and proceed with the matter accordingly.

Issue urgent certified copy of the order on proper application.

(K.R. Mohapatra)
Judge

