

IN THE HIGH COURT OF ORISSA AT CUTTACK

TRP(C) No.260 of 2022

Sabana Parmin

....

Petitioner

-versus-

Sk. Muktar Ali

....

Opposite Party

**CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
28.11.2022**

Order No

05.

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

2. Heard Mr. P.K. Dhal, learned counsel for the Petitioner.

3. Since office note indicates that sole Opp. Party refused to accept the notice, notice against the said Opp. Party is treated as sufficient.

4. This transfer petition has been filed seeking transfer of Civil Proceeding No. 162 of 2020 from the court of the learned Judge, Family Court, Baripada to the court of the learned Civil Judge, Senior Division, Rairangpur.

5. Mr. Dhal, learned counsel for the Petitioner submitted that another proceeding in D.V. Misc. Case No. 28 of 2021 is pending adjudication before the learned S.D.J.M., Rairangpur. Since the Petitioner is residing nearer to Rairangpur and prosecuting the other proceeding at Rairangpur, the Civil Proceeding No. 162 of 2020 unless transferred as prayed for, the Petitioner will face difficulty in prosecuting the matter.

7. Since the Opp. Party did not accept the notice issued by the Registry, in absence of him this Court is inclined to allow the

prayer and direct for transfer of C.P. No. 162 of 2020 to court of the learned Civil Judge, Senior Division, Rairangpur. This Court accordingly directs learned Judge, Family Court, Baripada to transfer C.P. No. 162 of 2020 forthwith.

8. The transfer petition is disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge

Sneha

