

IN THE HIGH COURT OF ORISSA AT CUTTACK

TRP(C) No.291 of 2022

Pravasini Mishra

....

Petitioner

-versus-

Abhilash Panda

....

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. D.K. Das, learned counsel for the Petitioner and Mr. Suvasish Pattnaik on behalf of Mr. Samvit Mohanty, learned counsel appearing for the Opp. Party.
3. This transfer petition has been filed seeking transfer of C.P. No. 92 of 2022 from the Court of learned Judge, Family Court, Jagatsinghpur to the Court of learned Judge, Family Court, Cuttack.
4. Mr. Das, learned counsel for the Petitioner submitted that the aforesaid proceeding has been filed by the Opp. Party-husband under Section 13(1) of the Hindu Marriage Act. It is also submitted that the Petitioner is prosecuting a matter in Criminal Proceeding No. 121 of 2022 in the Court of learned Judge, Family Court, Cuttack filed under Section 125 Cr.P.C. It is also contended that the Petitioner has got no source of income and she is unable to attend the Court at Jagatsinghpur.

5. Mr. Pattnaik, learned counsel for the Opp. Party on the other hand submitted that since the Petitioner is residing at Nayabazar in the district of Cuttack, she can very well attend the Court at Jagatsingpur.

6. Having heard learned counsel for the Parties and taking into grounds taken in the transfer petition and decisions governing the field as well as the pendency of another proceeding before the learned Judge, Family Court, Cuttack in Criminal Proceeding No. 121 of 2022, this Court is inclined to allow the prayer as made in the transfer petition. Accordingly, while allowing the transfer petition this Court directs the learned Judge, Family Court, Jagatsingpur to transfer C.P. No. 92 of 2022 to the Court of learned Judge, Family Court, Cuttack forthwith.

7. The transfer petition is disposed of accordingly.

Sneha

(Biraja Prasanna Satapathy)
Judge