

IN THE HIGH COURT OF ORISSA AT CUTTACK

TRP(C) No.264 of 2018

Pabitra Pradhan

....

Petitioner

-versus-

***Kaikei Pradhan @ Saraswati @
Tulasi Dei***

....

Opposite Party

CORAM: JUSTICE S. PUJAHARI

ORDER

07.03.2022

Order

No.

08.

1. This matter is taken up through hybrid mode.
2. This petition has been filed by the Petitioner to transfer of Final Decree, arising out of T.S. No12/1960, from the file of the learned Additional Civil Judge (Senior Division), Dhenkanal to the Court of the Civil Judge (Senior Division), Athamalik.
3. Heard the learned counsel for the Petitioner and the learned counsel for the Opposite Party.
4. Learned counsel for the Petitioner sought for transfer of the aforesaid final decree to the Court of the Civil Judge (Senior Division), Athamalik where the property is located.

5. Learned counsel for the Opposite Party, however, opposes the same on the ground that she being a heart patient unable to travel from Sambalpur to Athamaik under the district of Dhenkanal, as she is required to have change the buses in different location to proceed there.

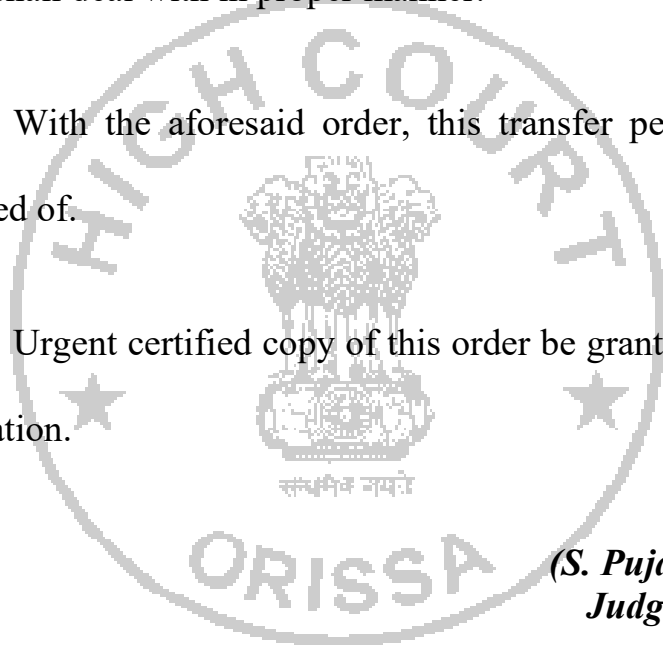
6. However, it is not disputed that the Opposite Party is coming from Sambalpur to Dhenkanal.

7. As agreed by both the parties to transfer the aforesaid Final Decree, arising out of T.S. No12/1960, to the Court of the Civil Judge (Senior Division), Angul, which is also competent court, this Court in exercise of power under Section 24 of C.P.C. direct to transfer the same from the file of the learned Additional Civil Judge (Senior Division), Dhenkanal to Court of Civil Judge (Senior Division), Angul. Both the Courts shall do the needful on production of the certified copy of this order. Learned Civil Judge (Senior Division), Angul after transfer of the aforesaid Final Decree proceeding shall dispose of the same as expeditiously as possible, preferably within eight months from the date of receipt of the record. Learned Additional Civil

Judge (Senior Division), Dhenkanal shall transmit the entire record of the aforesaid case as quickly as possible, preferably within seven days of receipt of the copy of this order and ensure that the same reaches to the transferee court. It is expected from the parties that they are not to seek unnecessary adjournments in view of the target of the aforesaid case and the Court shall deal with in proper manner.

8. With the aforesaid order, this transfer petition stands disposed of.

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



(S. Pujahari)
Judge

DA