

**IN THE HIGH COURT OF ORISSA AT CUTTACK**  
**TRP(C) NO.314 OF 2022**

***Subhadra Panda***

....

***Petitioner***

Mr.B.P. Tripathy, Advocate

-versus-

***Rama Chandra Panda***

....

***Opposite Party***

.....

**CORAM:**  
**MR. JUSTICE D.DASH**

**ORDER**

**02.11.2022**

**TRP(C) NO. 314 OF 2022**

**&**

**LA. NO.356 OF 2022**

**Order No.**

03.

1. This matter is taken up through hybrid arrangement (virtual/ physical) mode.
2. This application under section-24 of the Code of Civil Procedure has been filed by this Petitioner (wife) seeking transfer of Civil Proceeding No.587 of 2022 filed by the Opposite Party (husband), pending before the learned Judge, Family Court, Bhubaneswar to the Jurisdictional Court at Puri.
3. Heard learned Counsel for the Petitioner. None appears on behalf of the Opposite Party despite service of notice and opportunity.
4. Keeping in view the submissions made, the averments taken in the Application as well as the documents annexed thereto being gone through, it is seen that this Petitioner has also initiated a proceeding under section-25 of the Special Marriage Act in the Court of learned Judge, Family Court, Puri, which has been numbered as C.P. No.28 of 2022 and therein she has prayed for a decree to declare the marriage between her and the Opposite party registered on 22.01.2021 as void and accordingly to annul the marriage. It is also seen in that said case; the Opposite Party has

already entered appearance through his Counsel. This Opposite Party has filed C.P. No.587 of 2022 before the Judge, Family Court, Bhubaneswar seeking a decree for restitution of conjugal life. So, it is ideal that both the proceedings are adjudicated by one Court as common questions of facts and law arise therein.

5. Considering the submissions made and on going through the averments taken in the Application, further taking into account the social strata of the parties and their behavioural pattern, standard of life and the circumstances of both the parties in eking out their livelihood; in the prevailing socio-economic paradigm in the society; this Court hereby orders that the Civil Proceeding No.587 of 2022 pending before the learned Judge, Family Court, Bhubaneswar shall stand transferred to the Jurisdictional Court at Puri. Accordingly, it is directed that the record of the said proceeding be transmitted to the Jurisdictional Court at Puri at an early date not later than 08.12.2022 for its disposal in accordance with law within a period of one (1) year from the date of appearance of the parties.

5. Learned Counsels are requested to instruct their respective parties to enter appearance before the Jurisdictional Court at Puri in the aforesaid Civil Proceeding on 18.12.2022 to receive further instruction and cooperate for its further progress and disposal within the time frame in accordance with law.

6. The TRP(C) and I.A. are accordingly disposed of. A copy of the order be communicated to both the Courts for necessary actions at their end.

Issue urgent certified copy as per rules.

**(D. Dash),  
Judge.**