

IN THE HIGH COURT OF ORISSA AT CUTTACK

TRP(C) No.248 of 2021

Rajani Mallick

....

Petitioner

-versus-

***Smt. Jyostna Mallick @
Samantaray and others***

....

Opposite Parties

CORAM: JUSTICE S. PUJAHARI

ORDER

12.04.2022

Order

No.

04.

1. This matter is taken up through hybrid mode.
2. This petition has been filed by the Petitioner for transfer of Probate Misc. Case No.04 of 2016 instituted at her instance from the file of the learned District Judge, Bhadrak to the Court of District Judge, Balasore on the ground that other cases, which are dependent on the probate proceeding pending there.
3. Heard the learned counsel for the Petitioner and the learned counsel for the Opposite Parties Nos.1, 2, 5 and 6.
4. Learned counsel for the Petitioner submits that all the parties even the Petitioner had earlier sought for transfer of the

case to Bhubaneswar, which are pending before the Balasore Court and presently staying at Bhadrak.

5. Needless to say that the aforesaid probate proceeding is not required to be tried together with the other proceedings. But, pending disposal of the probate proceeding, other proceeding has to wait.

6. In such premises, this Court is not inclined to transfer the aforesaid probate proceeding, but dispose of this transfer petition with a direction to the learned District Judge, Bhadrak to the dispose of the aforesaid probate proceeding as expeditiously as possible, preferably within a period of six months hence. Parties are directed to cooperate with the court in disposal of the case within period stipulated.

(S. Pujahari)
Judge

DA