

IN THE HIGH COURT OF ORISSA AT CUTTACK

TRP(C) No.286 of 2016

Anita Devi

....

Petitioner

-versus-

Sandeep Ku. Das

....

Opposite Party

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

02.12.2022

Order No

05.

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

2. Heard Mr. Alekh Sahoo on behalf of Mr. Manas Chand, learned counsel for the Petitioner and Mr. Ashok Kumar Das, learned counsel appearing for the Opp. Parties.

3. The present transfer petition has been filed seeking transfer of C.P. No. 02 of 2016 pending in the file of learned Judge, Family Court, Berhampur to the Court of learned Judge, Family Court, Khurda.

4. Learned counsel for the Petitioner contended that the Petitioner is the wife and she is residing with her parents at Achyutarajpur Sasan and she is serving at Khurda. Accordingly, it is contended that since the distance in between the residence of the Petitioner and Berhampur will be around 150 k.m., it is not feasible on her part to attend the Court at Berhampur.

5. Mr. Das, learned counsel for the Opp. Party on the other hand submitted that the Petitioner is the permanent resident of Banapur

and learned Family Judge, Khurda is also holding Camp Court at Banapur. Accordingly, it is contended that the learned Judge, Family Court, Khurda be directed to take up the matter in the Camp Court at Banapur.

6. This Court after going through the materials available on record and the submissions made found that the Opp. Party is a resident of Berhampur and the prayer made by him to direct the learned Judge, Family Court, Khurda to take up the matter at Banapur in his Camp Court is not justified. Therefore, this Court after going through the grounds taken in the transfer petition and the decision governing the field is inclined to allow the prayer. Accordingly, this Court directs the learned Judge, Family Court, Berhampur to transfer C.P. No. 02 of 2016 to the Court of learned Judge, Family Court, Khurda forthwith on receipt of this order.

7. The transfer petition is disposed of.

Sneha

(Biraja Prasanna Satapathy)
Judge