

IN THE HIGH COURT OF ORISSA AT CUTTACK

TRP(C) No.160 of 2020

Gudia @ Ipsita Sibani ***Petitioner***

-versus-

Prabhudutta Nayak ***Opposite Party***

TRP(C) No.106 of 2021

Prabhudutta Nayak ***Petitioner***

-versus-

Gudia @ Ipsita Sibani ***Opposite Party***

CORAM: JUSTICE S. PUJAHARI

ORDER

18.02.2022

Order

No.

06.

1. Both these matters are taken up through hybrid mode.
2. TRP(C) No.160 of 2020 at the instance of the wife for transfer of C.P. No.295 of 2020 from the Court of Judge, Family Court, Bhubaneswar to the Court of Civil Judge (Senior Division), Chhatrapur, Ganjam and TRP(C) No.106 of 2021 at the instance of the husband for transfer of MAT Case No.15 of 2020 from the Court of Civil Judge (Senior Division), Chhatrapur, Ganjam to the Court of Judge, Family Court, Bhubaneswar.
3. Heard the learned counsel for the Petitioner and the learned counsel for the Opposite Party in both the cases.

4. As it appears from the averments made in the petitions and also the contention that while the wife was staying at Chhatrapur filed the C.P. No.295 of 2020, but in the meanwhile, she has come and stayed at Bhubaneswar.

5. Since both the cases under Hindu Marriage Act and are interrelated, as such, both the cases are required to be tried simultaneously to avoid any conflicting finding/judgment. So also undisputedly both the parties are residing at Bhubaneswar now.

6. Therefore, in such premises, this Court, while rejecting the prayer of the wife in TRP(C) No.160 of 2020, this Court allows the prayer made by the husband in TRP(C) No.106 of 2021.

7. Accordingly, it is directed that MAT Case No.15 of 2020 pending in the Court of Civil Judge (Senior Division), Chhatrapur, Ganjam be transferred to the Court of Judge, Family Court, Bhubaneswar with further direction to the Judge, Family Court, Bhubaneswar on receipt of the aforesaid MAT case shall dispose of both the cases, i.e. C.P. No.295 of 2020 and MAT Case No.15 of 2020 as expeditiously as possible, preferably within six months from the date of receipt of the case record, if there is no other legal impediments. Both the Courts shall do the needful on production of the certified copy of this order.

8. With the aforesaid order, both the transfer petitions stands disposed of.

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

(S. Pujahari)
Judge

DA

