

IN THE HIGH COURT OF ORISSA AT CUTTACK
TRP (C) No.164 of 2020

***Saikalyani Suvalaxmi Swain @
Kalyani Suvalaxmi Swain***

.... ***Petitioner***
Mr.R.N.Rout, Advocate

Versus

Dipti Ranjan Barik

.... ***Opp. Party***
Mr. S.K.Dash, Advocate

CORAM:
JUSTICE SAVITRI RATHO

ORDER
08.09.2022

Order No.

04.

This matter is taken up through hybrid mode.

2. This application under Section 24 of C.P.C. has been filed by the petitioner-wife for transfer of the Matrimonial Suit No.46 of 2020 filed by the opposite party-husband under Section-9 of the Hindu Marriage Act, 1955 in the Court of the learned Civil Judge (Senior Division), Anandapur, to the Court of learned Judge, Family Court, Bhadrak.

3. Notice had been issued to opp. party vide order dated 10.05.2022 and further proceeding in Matrimonial Suit No.46 of 2020 had been directed to be stayed.

4. Mr. S.K.Dash, learned counsel for the opp. party files a memo alongwith the attested copy of the judgment dated 5.3.2021 in Matrimonial Suit No.46 of 2020 which indicates that the proceeding for restitution of conjugal rights has been decreed uncontested but without any cost directing the respondent to live with the petitioner in

continuance of her conjugal life under Section-9 of the Hindu Marriage Act, 1955.

5. Since the Matrimonial Suit No.46 of 2020 has already been disposed of, nothing remains to be decided in this transfer application, which is accordingly dismissed, as infructuous.

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

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Savitri Ratho
Judge

Bichi

