

IN THE HIGH COURT OF ORISSA AT CUTTACK

TRP(C) No. 337 of 2022

***Smt. Tarulata Karmakar @
Mamoni Sen***

....

Petitioner

*Mr. Ranjan Kumar Rout, Advocate
Versus*

Sri Sanjeeb Kumar Sen

....

Opposite Party

CORAM:

JUSTICE SAVITRI RATHO

ORDER

27.09.2022

(Through hybrid mode)

Order No.

02.

1. Heard Mr. Ranjan Kumar Rout, learned counsel for the petitioner.

2. This application has been filed by the petitioner-wife under Section 24 of the C.P.C. for transfer of C.P. No. 585 of 2022 filed under Section 9 of the Hindu Marriage Act by the opposite party-husband in the Court of learned Judge, Family Court, Bhubaneswar, to the Court of learned Judge, Family Court, Cuttack.

3. Mr. Rout, learned counsel for the petitioner submits that as the petitioner is staying in Cuttack and as per Section 19 (2) of the Hindu Marriage Act, the C.P. should have been filed in Cuttack but the opposite party has filed the petition in Bhubaneswar deliberately in order to harass the petitioner. He further submits that the petitioner has appeared in the case on 17.08.2022.

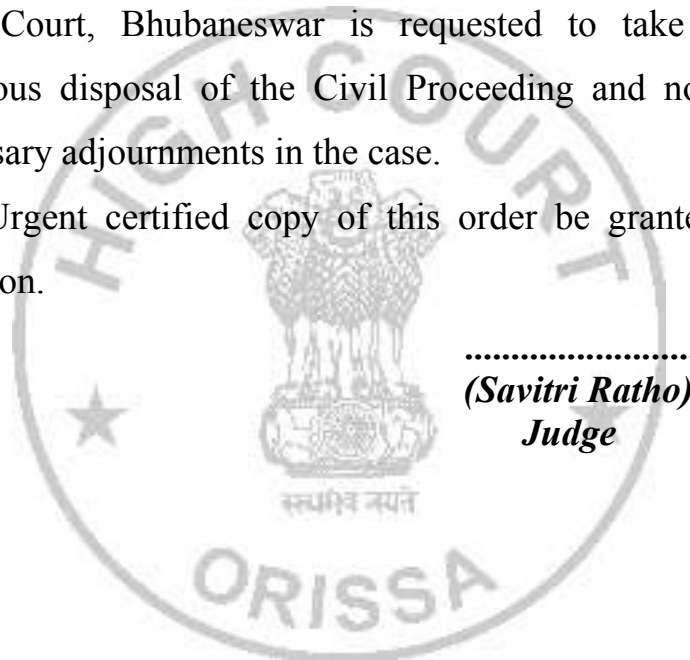
4. Considering that the application is one under Section 9 of the C.P.C. and the distance between Cuttack and Bhubaneswar is about 30 kms., I do not think it is a fit case to transfer the case from the Court of learned Judge, Family Court, Bhubaneswar, to the Court of learned Judge, Family Court, Cuttack.

5. The TRP(C) is accordingly dismissed.

6. But in view of the fact that the petitioner has to travel from Cuttack to Bhubaneswar to contest the case, learned Judge, Family Court, Bhubaneswar is requested to take steps for expeditious disposal of the Civil Proceeding and not to grant unnecessary adjournments in the case.

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

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(Savitri Ratho)
Judge