

IN THE HIGH COURT OF ORISSA AT CUTTACK

TRP(C) No.178 of 2020

Jyoti Patra @ Ray

....

Petitioner

-versus-

Jitendra Kumar Patra

....

Opposite Party

CORAM: JUSTICE S. PUJAHARI

ORDER

08.02.2022

Order

No.

05.

1. This matter is taken up through hybrid mode.
2. Heard the learned counsel for the Petitioner.
3. This petition has been filed by the Petitioner for transfer of the Civil Proceeding No.161 of 2020 instituted at the instance of the Opposite Party-husband from the file of the Judge, Family Court, Jagatsinghpur to the Court of Judge, Family Court, Cuttack.
4. The Petitioner has sought for transfer of the aforesaid Civil Proceeding from the Court of Judge, Family Court, Jagatsinghpur to the Court of Judge, Family Court, Cuttack on the ground that she being threatened by the Opposite Party-husband to appear before the Court of Judge, Family Court, Jagatsinghpur, she is unable to attend to contest the aforesaid proceeding, therefore, for a free and fair trial, the case be transferred from the said court to the Court of Judge, Family

Court, Cuttack. But, no material has been produced indicating that she has made any allegation before the police with regard to such threat extended to her. Therefore, the contention of the Petitioner on which the transfer of the aforesaid case is sought for appears to be without any substance.

5. Considering the aforesaid facts, this Court is not inclined to entertain the prayer for transfer of the aforesaid case.

6. Accordingly, the TRP(C) stands dismissed.

7. However, liberty is given to the Petitioner to approach the Superintendent of Police concerned well ahead of the date of her appearance with a copy of this order to render her necessary protection on the date of her appearance to enable the S.P. concerned to assess the threat perception on her and give necessary protection, if required.

(S. Pujahari)
Judge

DA