

IN THE HIGH COURT OF ORISSA AT CUTTACK

TRP(C) No.299 of 2018

Jayashree Ram

....

Petitioner

-versus-

Prakash Kumar Singh

....

Opposite Party

CORAM: JUSTICE S. PUJAHARI

ORDER

29.03.2022

Order

No.

05.

1. This matter is taken up through hybrid mode.
2. This petition has been filed by the Petitioner-wife for transfer of C.P. Case No.245 of 2018 instituted at the instance of the Opposite Party-husband from the file of the learned Judge, Family Court, Kendrapara to the Court of Civil Judge (Senior Division), Anandapur.
3. Heard the learned counsel for the parties.
4. Petitioner-wife has sought for transfer of the aforesaid case on the ground of inconvenience, threat to her life and limb at the instance of the Opposite Party on appearance therein the court at Kendrapara, so also financial hardship to her. However, it is not disputed that a proceeding under Section 125 of Cr.P.C. filed by the present Petitioner which she also seeks to transfer, is pending before the court of Judge, Family Court, Kendrapara. No material is produced to substantiate the plea

that threat to her life and limb at the instance of the Opposite Party on her appearance at Kendrapara is there. The Opposite Party-husband is ready to pay her travelling and other expenses incurred in attending the court at Kendrapara.

5. Considering the aforesaid facts and submissions made, this Court is not inclined to entertain the prayer on the aforesaid ground.

6. However, liberty is given to the Petitioner-wife to approach the Superintendent of Police concerned, if she apprehends any danger to her life and limb on her appearance before the court at Kendrapara from the side of her husband, 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.

7. Learned Judge, Family Court, Kendrapara is directed that the aforesaid C.P. No.245 of 2018 as well as Criminal Proceeding No.186 of 2018 be posted on the same and disposed of the same as expeditiously as possible, preferably within a period of six months from the date of production/receipt of certified copy of this order. It is expected from the parties that they are not to seek unnecessary adjournments in view of the target of the aforesaid case and party who seek unnecessary adjournment heavy cost be imposed on him/her. Further, Rs.1,500/- be paid to the Petitioner-wife by the Opposite Party-

husband for travel expenses on each date of her appearance in the aforesaid proceeding.

8. With the aforesaid order, the TRP(C) stands disposed of.

(S. Pujahari)
Judge

DA

