

IN THE HIGH COURT OF ORISSA AT CUTTACK

TRP(C) No.366 of 2022

Monalisha Sahoo & Anr.s

....

Petitioners

-versus-

Ambuja Kumar Sahoo

....

Opposite Party

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

05.12.2022

Order No

- 02.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard Mr. S.K. Dash, learned counsel for the Petitioners and Mr. M.R. Khatua, learned counsel appearing for the Opp. Party.
3. The present transfer petition has been filed seeking transfer of C.P. No. 111 of 2022 from the file of learned Judge, Family Court, Dhenkanal to the Court of learned Civil Judge (Sr. Division), Anandapur.
4. It is contended by the learned counsel for the Petitioners that out of 4 (four) proceedings, which are pending in different Courts at Anandapur one (1) proceeding has been disposed of in the meantime and the Opp. Party is participating in other three (3) proceedings at Anandapur. It is also contended that C.P. No. 30 of 2021 was also transferred to the Court of learned Civil Judge (Sr. Division), Anandapur pursuant to the order passed by this Court on 07.04.2021 in TRP(C) No. 126 of 2021. Accordingly, Mr. Dash submitted that the present proceeding be also transferred to the Court of learned Civil Judge (Sr. Division), Anandapur.

5. Mr. Khatua, learned counsel appearing for the Opp. Party on the other hand submitted that the Opp. Party is apprehending danger to his life for his appearance at Anandapur. If that be so, the Opp. Party is permitted to move the local I.I.C. and if any such approach is made, the concerned I.I.C., Anandapur P.S. is directed to provide protection to the Opp. Party as required for his appearance before the Court of learned Civil Judge (Sr. Division), Anandapur.

6. Considering the submission made and the grounds taken in the transfer petition, this Court is inclined to allow the prayer. Accordingly, this Court directs learned Judge, Family Court, Dhenkanal to transfer C.P. No. 111 of 2022 to the Court of learned Civil Judge (Sr. Division), Anandapur forthwith on receipt of this order.

7. The transfer petition is disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge

Sneha

