

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 25102 of 2022

Janaki Ballav Panda

....

Petitioner

Mr. Dayananda Mohapatra, Advocate

-versus-

Sangita Panda

....

Opp. Party

**CORAM:
JUSTICE K.R. MOHAPATRA**

ORDER

02.11.2022

Order No.

- 02.
1. This matter is taken up through Hybrid mode.
 2. Petitioner in this writ petition prays for a direction for early disposal of Civil Proceeding No.127 of 2013 pending before learned Judge, Family Court, Kendrapara.
 3. It is submitted by learned counsel for the Petitioner that the CP has been filed under Section 13 (1) (ia) of the Hindu Marriage Act, 1955. Evidence from the side of the Petitioner has already been closed and the Respondent/Opposite Party has already examined one witness. Thereafter, the matter was posted to 28th March, 2022 for further evidence from the side of the Respondent/ Opposite Party, on which date the Respondent/ Opposite Party sought for adjournment and the matter was posted to 29th April, 2022 for that purpose. Since then, Respondent/Opposite Party is not cooperating with learned Family Court to adduce evidence and the matter is being dragged on. In view of pendency of the CP, the Petitioner is

highly prejudiced. It is submitted that there is no legal impediment for early disposal of the CP. Hence, the Petitioner finding no other alternative, has filed the present writ petition.

4. Taking into consideration the submission made by learned counsel for the Petitioner, this Court disposes of the writ petition with a direction that in the event Petitioner files a petition for early disposal of CP No.127 of 2013 stating the grounds therein, learned Judge, Family Court, Kendrapara shall consider the same and proceed with the matter in accordance with law. Learned Family Court shall also make an endeavour for disposal of the CP keeping in mind that the CP is pending since 2013, if there is no legal impediment. Parties are directed to cooperate learned Family Court, Kendrapara for early disposal of CP No.127 of 2013.

Issue urgent certified copy of the order on proper application.

(K.R. Mohapatra)
Judge