

IN THE HIGH COURT OF ORISSA AT CUTTACK

TRP(C) No.370 of 2022

Namrata Mishra **Petitioner**

-versus-

Chinmaya Das **Opposite Party**

TRP(C) No.386 of 2022

Chinmaya Das **Petitioner**

-versus-

Namrata Mishra **Opposite Party**

**CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
14.12.2022**

Order No

- 03.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard Mr. P.P. Mohanty, learned counsel for the wife in both the cases and Mr. M.R. Das, learned counsel appearing for the husband.
3. TRP(C) No.370 of 2022 has been filed by the wife seeking transfer of Proceeding in C.P. No. 342 of 2022 from the Court of learned Judge, Family Court, Berhampur to the Court of learned Judge, Family Court, Bhubaneswar. Similarly TRP(C) No. 386 of 2022 has been filed by the husband seeking transfer of C.P. No. 697 of 2022 from the Court of learned Judge, Family Court at Bhubaneswar to the Court of learned Judge, Family Court at Berhampur.

4. It is contended by the learned counsel for the Parties that C.P. No. 697 of 2022 has been filed by the wife under Sec. 9 of the Hindu Marriage Act and the other proceeding in C.P. No. 342 of 2022 has been filed by the husband under Sec. 13 of the Hindu Marriage Act.

5. Considering the grounds taken and the decisions governing the field, this Court is inclined to transfer C.P. No. 342 of 2022 from the Court of learned Judge, Family Court, Berhampur to the Court of learned Judge, Family Court, Bhubaneswar. The prayer made by the husband for transfer of the proceeding in C.P. No. 697 of 2022 is not acceded by this Court and accordingly rejected. Learned Judge, Family Court, Berhampur is directed to transfer C.P. No. 342 of 2022 to the Court of learned Judge, Family Court, Bhubaneswar forthwith on receipt of this order.

6. Both the transfer petitions are disposed of accordingly.

Sneha

(Biraja Prasanna Satapathy)
Judge