

IN THE HIGH COURT OF ORISSA AT CUTTACK

TRPCRL No. 112 of 2019

Asish Bohidar

.....

Petitioner

Mr. D.K. Mohapatra, Adv.

Vs.

State of Orissa & Others

.....

Opposite Parties

Mr. S.S. Pradhan, A.G.A.

CORAM:

JUSTICE SAVITRI RATHO

ORDER

11.08.2022

Order No.

03.

This matter is taken up through hybrid mode.

2. Heard Mr. D.K. Mohapatra, learned counsel for the petitioner and Mr. S.S. Pradhan, learned Addl. Govt. Advocate for the State.

3. Office note indicates that unserved notice has returned back from opp. party no.2 with postal endorsement “insufficient address” and unserved notice is back from opp. party no.3 with postal endorsement “addressee not known” and neither A.D. nor unserved notice is back from opp. party no.5.

4. This application has been filed by the petitioner under Section 407 of Cr.P.C. for transfer of G.R. Case No. 2251 of 2015 pending in the Court of learned S.D.J.M., Sambalpur to the Court of the learned S.D.J.M., Panposh.

5. Mr. D.K. Mohapatra, learned counsel for the petitioner submits that the opp. parties are deliberately avoiding to receive summons in this TRP(CRL). He further submits that on account of their absence in the learned Court below, the trial is lingering and the informant is suffering financial loss every day.

6. Considering the said submissions and since the case sought

to be transferred involves offences under Sections 468/467/471/474/120-B of the I.P.C., it will not be in anybody's interest if the TRP(CRL) is kept pending awaiting appearance of the opp. parties no. 2 and 3. Since the case is of the year 2015, and order of cognizance has been passed on 24.12.2015, the learned trial Court is requested to proceed with the trial expeditiously.

7. The TRP(C) is disposed of with the aforesaid observations.

8. Issue urgent certified copy as per rules.

.....
(SAVITRI RATHO)
JUDGE

Sukanta

