

IN THE HIGH COURT OF ORISSA AT CUTTACK

TRP(C) No.397 of 2022

Babita Behera

....

Petitioner

-versus-

Rajesh Kumar Kahali

....

Opposite Party

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

20.12.2022

Order No

03.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.

2. Heard Mr. Brundaban Rout, learned counsel for the Petitioner. In spite of appearance nobody is there on behalf of the Opp. Party when the matter was called.

3. This transfer petition has been filed seeking transfer of C.P. No. 38 of 2020 from the Court of learned Judge, Family Court, Keonjhar to the Court of learned Judge, Family Court, Cuttack.

3. It is contended by the learned counsel for the Petitioner that the proceeding initiated by the present Petitioner in Criminal Proceeding No. 69 of 2022 is pending before the learned Judge, Family Court, Cuttack and the Opp. Party has already entered his appearance with filing of the show-cause. Therefore, it is prayed that the petition filed by the husband in C.P. No. 38 of 2020 under Section 9 of the Hindu Marriage Act be transferred to the Court of learned Judge, Family Court, Cuttack.

4. Having heard learned counsel for the Petitioner and taking into account the fact that the other proceeding is pending at Cuttack and the Opp. Party has already entered appearance with filing of the show-cause, this Court is inclined to allow the prayer as made in the transfer petition. Accordingly, this Court directs the learned Judge, Family Court, Keonjhar to transfer C.P. No. 38 of 2020 to the Court of learned Judge, Family Court, Cuttack forthwith on receipt of this order.

5. The transfer petition is disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge

Sneha

