

IN THE HIGH COURT OF ORISSA AT CUTTACK

TRP(C) No.408 of 2022

Golap @ Golaprani Garnaik **Petitioner**

-versus-

Shivankruti Dash & Ors. **Opposite Parties**

**CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
16.11.2022**

Order No

- 01.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard Mr. S. Rout, learned counsel for the Petitioner.
3. This Transfer Petition has been filed under Section-24 of the Code of Civil Procedure seeking transfer of C.S. No. 280 of 2022 pending in the Court of learned Civil Judge (Senior Division), Nimapada to the Court of learned Civil Judge (Senior Division), Angul.
4. It is submitted that the Petitioner is the mother-in-law of the Opp. Party No 1 and after the death of the Petitioner's daughter/wife of Opp. Party No. 1, Opp. Party No. 1 has filed the suit in question seeking declaration of his claim over the schedule property and he has also prayed for injunction against the Petitioner.
5. Mr. Rout, learned counsel for the Petitioner submitted that the Petitioner is an old woman and she is unable to appear before the Court at Angul. It is also submitted that the Petitioner since is

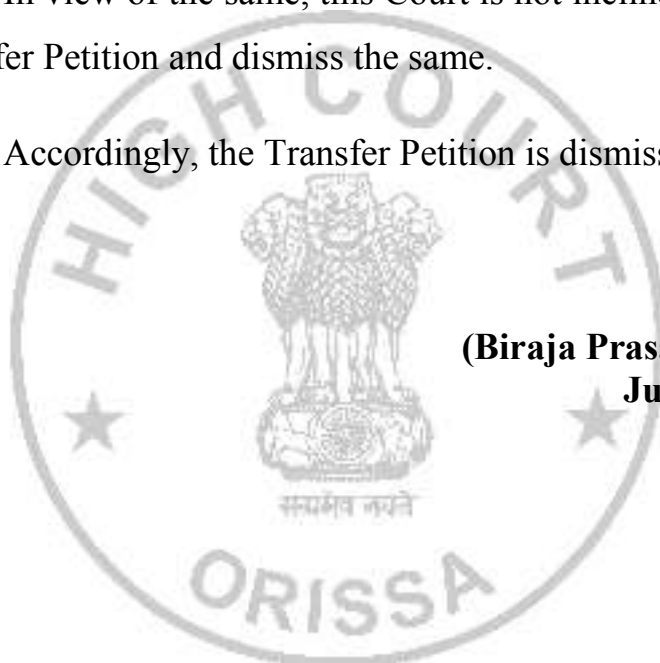
the nominee of the suit property, the suit should have been filed at Angul instead of Nimapada.

6. Heard learned counsel for the Parties. Perused the materials available on record. This Court after going through the same finds that the Petitioner can very well appear before the Court at Angul by engaging a counsel of her choice and the said counsel can defend the interest of the Petitioner. No justifiable ground is also made out for such transfer of the matter.

7. In view of the same, this Court is not inclined to entertain the Transfer Petition and dismiss the same.

8. Accordingly, the Transfer Petition is dismissed.

Subrat



(Biraja Prasanna Satapathy)
Judge