

IN THE HIGH COURT OF ORISSA AT CUTTACK

TRP(C) No.370 of 2021

Smt. Jyotirmayee Dash @ Panda ***Petitioner***

-versus-

Sri Dibakar Panda ***Opposite Party***

CORAM: JUSTICE S. PUJAHARI

ORDER

10.02.2022

Order

No.

03.

1. This matter is taken up through hybrid mode.
2. This petition has been filed by the Petitioner for transfer of Civil Proceeding No.439 of 2016 instituted at the instance of the Opposite Party-husband from the file of the learned Judge, Family Court, Cuttack to the Court of Civil Judge (Senior Division), Athagarh.
3. Heard the learned counsel for the Petitioner. No one appears on behalf of the Opposite Party though notice has been made sufficient.
4. The Petitioner has sought for transfer the aforesaid Civil Proceeding on the ground that criminal cases instituted at her instance are pending in the Court at Athagarh.
5. The distance that can be covered hardly within one hour. Ordinarily the Court having jurisdiction should try a case, but transfer

of the same can be made in exceptional circumstances under Section 24 of the Code of Civil Procedure, if sufficient cause is shown.

6. Here in this case, the ground sought for being not convincing, the Court is not inclined to transfer the Civil Proceeding No.439 of 2016 to the Court of Civil Judge (Senior Division), Athagarh.

7. Accordingly, the TRP(C) stands dismissed.

8. However, learned Judge, Family Court, Cuttack is directed to dispose of the Civil Proceeding No.439 of 2016 as expeditiously as possible, if there is no other legal impediment.

(S. Pujahari)
Judge

DA