

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO. 37169 OF 2021

Yasobanta Kumar Nayak ***Petitioner***
Mr.Bidyadhar Manasingh, Advocate
-versus-
Sonali Swain ***Opp. Party***

CORAM:
JUSTICE K.R. MOHAPATRA

ORDER

14.02.2022

Order No.

1. 1. This matter is taken up through hybrid mode.
2. 2. Heard, Mr. Manasingh learned counsel for the Petitioner.
3. 3. Petitioner in this writ petition prays for a direction for early disposal of C.P. No. 492 of 2019 filed under Section 9 of the Hindu Marriage Act, 1955 (for short, 'Act 1955') along with C.P. No. 366 of 2019 filed by the Opposite Party-wife under Section 18 of the Hindu Adoption and Maintenance Act, 1956 (for short, 'Act 1956').
4. 4. Mr. Manasingh, learned counsel for the Petitioner submits that in spite of repeated conciliations the Opposite Party is not ready to join the Petitioner for leading a happy conjugal life. Opposite Party filed a petition under Section 18 of Act 1956 and C.P. No. 366 of 2019 for maintenance. Due to pendency of both proceedings, the Petitioner is suffering a lot. Hence, he prays for early disposal of both the proceedings by taking up the same analogously.
5. 5. Upon hearing learned counsel for the Petitioner and on perusal of record, it appears that the Petitioner has not filed any order sheet of both the proceedings. Thus, this Court is not in a position to ascertain

the status of both the cases. It is, however, submitted that the matters are ready for disposal and there is no impediment for early disposal to the same.

6. In view of the above, this Court without expressing its opinion on the merits to the case, directs that in the event, Petitioner files an application for early disposal for both the C.Ps., i.e., CP No.492 of 2019 and CP No.366 of 2019 stating the grounds therein, learned Judge, Family Court, Cuttack shall do well to dispose of the same as expeditiously as possible, preferably within a period of two weeks hence on production of certified copy of this order and shall take expeditious steps for early disposal of aforesaid Civil Proceedings, if there is no legal impediment.

7. The writ petition is disposed of accordingly.

Urgent certified copy of this order be granted on proper application.

(K.R. Mohapatra)
Judge