IN THE HIGH COURT OF ORISSA, CUTTACK

TRP(C) No.57 of 2025

CNR No. ODHC010092822025

Afsana Parveen ... Petitioner

-Versus-

Sk. Mantaj Mahammad ... Opposite Party

Advocates for the parties

For Petitioner : Mr. P.C. Jena, Advocate

For Opposite Party : None

CORAM: JUSTICE SANJAY KUMAR MISHRA

Date of Hearing & Judgment: 17.11.2026

S.K. MISHRA, J.

1. This transfer petition has been preferred under Section 24 of the Code of Civil Procedure, 1908 by the Petitioner-Wife, who is the Opposite Party in C.P. No.785 of 2024, pending in the Court of learned Judge, Family Court, Balasore seeking transfer of the said proceeding to the Court of the learned Judge, Family Court, Baripada on the grounds detailed therein.

2. Pursuant to order dated 03.08.2026, the learned Judge, Family Court, Balasore has submitted a report vide Letter No.582 dated 01.10.2026, wherefrom it is revealed that a copy of the order dated 03.08.2026 passed by this Court has been communicated to the learned Counsel for the Opposite Party, who is the Petitioner in C.P. No.785 of 2024. Still the Opposite Party goes unrepresented when the matter is called.

3. Hence, the transfer petition is taken up for hearing and disposal at the stage of admission in absence of the Opposite Party, as prayed by the learned Counsel for the Petitioner.

4. Heard learned Counsel for the Petitioner. Reiterating the grounds urged in the transfer petition, learned Counsel for the Petitioner-Wife submits, the Petitioner is a deserted lady having no independent source of income. That apart, in view of the other reasons detailed in the transfer petition, her prayer for transfer of the proceeding in C.P. No.785 of 2024 from Balasore to Baripada be allowed.

5. In the circumstances, taking into consideration the pleadings and documents on record, so also the settled position of law, this Court is inclined to allow the prayer made in the transfer petition.

6. Accordingly, the learned Judge, Family Court, Balasore is directed to transmit the case record in C.P. No.785 of 2024 to the Court of the learned Judge, Family Court, Baripada at the earliest, preferably within a period of seven days from the date of production of certified copy of this Judgment.

7. On receiving the case record in C.P. No.785 of 2024 from the Court of learned Judge, Family Court, Balasore, the Court of learned Judge, Family Court, Baripada shall re-register the said case, if so required, and proceed further in accordance with law giving due opportunity to both the parties and shall try to conclude the said proceeding at the earliest.

8. To avoid delay and notice, both the parties are directed to make a query themselves or through their Counsel from the Court of learned Judge, Family Court,

Baripada to ascertain the date and purpose of posting of C.P. No.785 of 2024 and participate in the said proceeding.

9. Parties are further directed not to seek for unnecessary adjournments and cooperate with the learned Judge, Family Court, Baripada for early disposal of C.P. No.785 of 2024, as directed above.

10. With the said observation and direction, the transfer petition stands allowed and disposed of.

11. Office is directed to communicate a copy of this Judgment to the Court of learned Judge, Family Court, Baripada, enabling the said Court to act in terms of the observations made above.

12. Interim order, if any, stands vacated. Pending I.A. also stands disposed of accordingly.

Urgent certified copy of this Judgment be granted on proper application as per rules.

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S.K. Mishra, J.

Orissa High Court, Cuttack.

Dated, the 18th November, 2026/ Anisha

Signature Not Verified
Digitally Signed
Signed by: ANISHA DUNDUNG
Designation: Jr. Stenographer
Reason: Authentication
Location: OHC, CUTTACK
Date: 18-Nov-2026 18:04:25