IN THE HIGH COURT OF ORISSA, CUTTACK

TRP(C) No.153 of 2026

CNR No. ODHC010344142026

Mohini Guru ... **Petitioner**

-Versus-

Gyanaranjan Guru ... **Opposite Party**

Advocates for the parties

For Petitioner : Mr. P. Panigrahi, Advocate

For Opposite Party : Mr. S.K. Nath, Advocate

CORAM: JUSTICE SANJAY KUMAR MISHRA

Date of Hearing & Judgment: 29.10.2026

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 MAT Case No.25 of 2025, pending in the Court of learned Civil Judge (Senior Division), Hindol, seeking transfer of the said proceeding to the Court of the learned Civil Judge (Senior Division), Kamakhya Nagar, on the grounds detailed therein.

2. Though the Opposite Party-Husband has entered appearance, no written objection has been filed till date opposing to such prayer for transfer.

3. However, on the consent of learned Counsel for the parties, the transfer petition is taken up for hearing and disposal at the stage of admission, permitting learned Counsel for the Opposite Party-Husband to raise his oral objection, if any, to the prayer made in the transfer petition.

4. Reiterating the grounds urged in the transfer petition, learned Counsel for the Petitioner-Wife submits, she is a deserted woman 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 MAT Case No.25 of 2025 from Hindol to Kamakhya Nagar be allowed.

5. On being asked, learned Counsel for the Opposite Party-Husband fairly submits, he has no objection to such prayer for transfer.

6. However, he submits, as per instruction received, his client is presently employed in a private company at

Pune. Upon transfer of MAT Case No.25 of 2025 to the Court of the learned Civil Judge (Senior Division), Kamakhya Nagar, the Opposite Party-husband may be permitted to appear through virtual mode, which would be helpful for the parties for expeditious hearing of MAT Case No.25 of 2025.

7. In the circumstances, taking into consideration of the pleadings and documents on record, submissions made by learned Counsel for the parties, including the concession made by the learned Counsel for the Opposite Party-Husband, so also the settled position of law, this Court is inclined to allow the prayer made in the transfer petition.

8. Accordingly, the learned Civil Judge (Senior Division), Hindol, is directed to transmit the case record in MAT Case No.25 of 2025 to the Court of the learned Civil Judge (Senior Division), Kamakhya Nagar at the earliest, preferably within a period of seven days from the date of production of certified copy of this Judgment.

9. On receiving the case record in MAT Case No.25 of 2025 from the Court of learned Civil Judge (Senior Division),

Hindol, the Court of learned Civil Judge (Senior Division), Kamakhya Nagar 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.

10. It is made clear that both the parties would be at liberty to appear before the Court of learned Civil Judge, (Senior Division), Kamakhya Nagar through virtual mode, with due permission of the concerned Court, in case they face any difficulty on any date to appear physically before the said Court.

11. The Court of learned Civil Judge,(Senior Division), Kamakhya Nagar is requested to explore the facility of video conferencing available in the said Court and allow the parties to appear through video conferencing mode, following the guidelines prescribed under the "High Court of Orissa and District Courts Use of Electronic Communication and Audio-Video Electronic Means Rules, 2025".

12. However, on the dates of effective hearing, i.e., for examination and cross-examination of witnesses and other

purposes, for which their presence may be required by the Court and if it is so ordered, the parties so also their witnesses, if any, shall remain physically present before the Court of learned Civil Judge (Senior Division), Kamakhya Nagar.

13. To avoid delay and notice, both the parties are directed to make a query themselves or through their Counsel from the Court of learned Civil Judge (Senior Division), Kamakhya Nagar to ascertain the date and purpose of posting of MAT Case No.25 of 2025 and participate in the said proceeding.

14. Both the parties are directed not to seek for unnecessary adjournments and cooperate with the learned Civil Judge (Senior Division), Kamakhya Nagar for early disposal of MAT Case No.25 of 2025, as directed above.

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

16. Office is directed to communicate a copy of this Judgment to the Court of learned Civil Judge (Senior

Division), Kamakhya Nagar, enabling the said Court to act in terms of the observations made above.

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

.....
S.K. Mishra, J.

Orissa High Court, Cuttack.
Dated, 29th October, 2026/ Anisha

Signature Not Verified
Digitally Signed
Signed by: ANISHA NANDA
Designation: Jr. Stenographer
Reason: Authentication
Location: OHC, CUTTACK
Date: 30-Oct-2026 15:49:08