IN THE HIGH COURT OF ORISSA, CUTTACK
TRP(C) No.161 of 2026
CNR No. ODHC010395702026

Sangita Pradhan ..... Petitioner

-Versus-

Niranjan Swain ..... Opposite Party

For Petitioner : Mr. P.R. Chhatoi, Advocate

For Opposite Party : Mr. A.U. Senapati, Advocate

CORAM: JUSTICE SANJAY KUMAR MISHRA

Date of Hearing & Judgment: 20.11.2026

S.K. MISHRA, J.

1. This transfer petition has been preferred by the Petitioner-wife under Section 24 of Code of Civil Procedure, 1908 for transfer of proceeding in C.P. No.89 of 2025, pending in the Court of learned Judge, Family Court, Puri, to the Court of learned Judge, Family Court-II, Bhubaneswar on the grounds detailed in the transfer petition.

2. Though the Opposite Party-Husband, being noticed, has appeared in the present case, but no written objection has been filed till date opposing to the prayer for transfer. However, on

consent of the learned Counsel for the parties, the matter is taken up for hearing and disposal, permitting the learned Counsel for the Opposite Party-Husband to have his oral objection to such prayer made in the transfer petition.

3. Reiterating the grounds urged in the transfer petition, learned Counsel for the Petitioner submits, the Petitioner-wife is a deserted lady, having no source of income, is staying in her brother's house with her minor child, who is in LKG. The Petitioner is totally dependent upon her brother to maintain her livelihood. That apart, the distance from Puri to the place, where she presently resides would be around 60 K.M. It would be difficult on her part to travel to Puri along with the small child to attend the day-to-day proceeding at Puri.

4. Learned Counsel for the Opposite Party –husband, on being asked, submits, he has no objection to such prayer for transfer.

5. In view of the submissions made by the learned Counsel for the Petitioner, pleadings made in the transfer petition and the concession made by the learned Counsel for the Opposite Party-Husband, this Court is inclined to allow the prayer made in the transfer petition.

6. Accordingly, the learned Judge, Family Court, Puri is directed to transmit the case record in C.P. No.89 of 2025 to the Court of learned Judge, Family Court-II, Bhubaneswar 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.89 of 2025 from the Court of learned Judge, Family Court, Puri, the Court of learned Judge, Family Court-II, Bhubaneswar 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. It is made clear that both the parties will be at liberty to appear before the Court of learned Judge, Family Court-II, Bhubaneswar 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.

9. The learned Judge, Family Court-II, Bhubaneswar, to expedite the trial, 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".

10. 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 learned Judge, Family Court-II, Bhubaneswar.

11. To avoid delay, both the parties are directed to make a query themselves or through their Counsel from the Court of learned Judge, Family Court-II, Bhubaneswar to ascertain the date and purpose of posting of C.P. No.89 of 2025 and participate in the said proceeding.

12. Both the parties are further directed not to seek for unnecessary adjournments and cooperate with the learned Judge, Family Court-II, Bhubaneswar for early disposal of C.P. No.89 of 2025, as directed above.

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

14. Office is directed to communicate a copy of this Judgment to the Court of learned Judge, Family Court-II,

Bhubaneswar enabling the said Court to act in terms of the observations made above.

15. Interim order dated 29.06.2026 passed in I.A. No.185 of 2026 stands vacated. The said I.A. also stands disposed of accordingly.

16. 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, 20th November, 2026/ Banita

Signature Not Verified
Digitally Signed
Signed by: BANITA PRIYADARSHINI PALEI
Designation: SR. STENOGRAPHER
Reason: AUTHENTICATION
Location: OHC, CUTTACK
Date: 21-Nov-2026 14:01:30