

(2022) 06 OHC CK 0082
In the Orissa High Court
Case No : TRP (C) No.135 Of 2022

Rajlaxmi Majhi @ Mandal

APPELLANT

Vs

Hrushikesh Mandal @ Hrusikesh Mandal

RESPONDENT

Date of Decision : 21-06-2022

Acts Referred:

Code of Criminal Procedure, 1973 — Section 125

Citation : (2022) 06 OHC CK 0082

Hon'ble Judges : Savitri Ratho, J

Bench : Single Bench

Advocate : S.K.Dwibedi

Final Decision : Allowed

Judgement

Savitri Ratho, J

TRP (C) No.135 of 2022 & I.A. No.146 of 2022

1. This matter is taken up by hybrid mode.
2. Heard Mr.S.K.Dwibedi, learned counsel for the petitioner-wife.
3. In this application, prayer has been made to transfer C.P. No.36 of 2022 pending in the file of learned Judge, Family Court, Mayurbhanj to the file of learned Judge, Family Court, Balasore.
4. Learned counsel for the petitioner submits that marriage between the parties has been solemnized in Balasore and although the husband works as a clerk in Sidheswar Mahavidyalaya situated at Amarda Road, Balasore and staying at Balasore, but in order to harass the petitioner, who has no independent source of income and is dependent with her brother, as her father has expired in the meanwhile, and has a young child of two years to lookafter, the opp. party has deliberately filed this case at Baripada. He further submits that CRP Case No.56 of 2022 has been filed by the petitioner in the court of learned Judge, Family Court, Balasore under Section 125 of Cr.P.C. seeking maintenance for herself and

her child and summons has been issued to the opp. party for his appearance in the said case.

5. Considering the above submissions, issue notice to the opp. party by registered post with A.D., requisites for which shall be filed within a week. The notice shall be made returnable within four weeks.

6. List this matter on 23.08.2022.

7. Further proceeding in C.P. No.36 of 2022 pending in the file of learned Judge, Family Court, Mayurbhanj shall remain stayed till the next date.

8. Urgent certified copy of this order be granted as per rules.

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