



IN THE HIGH COURT OF ORISSA AT CUTTACK

TRP(C) No.5 of 2026

Smita Priyadarshini Sahoo* *Petitioner

Mr. B. Mohapatra, Advocate
-versus-

Nabodita Sahoo* *Opp. Party

Mr. P.C.Mishra, Advocate

**CORAM:
JUSTICE MRUGANKA SEKHAR SAHOO**

**ORDER
25.03.2026
(Hybrid Mode)**

**Order No.
02.**

1. Office note indicates that in paragraph-8 of order dated 10.02.2026 an inadvertent typographical error has crept in. In paragraph-8 'Cuttack', shall be corrected and 'Jajpur' shall be mentioned by writing in pen.

Free certified copy of order dated 10.02.2026 shall be issued afresh.

2. The petitioner-wife is before this Court seeking transfer of C.P. No.353 of 2025 pending before the learned Judge, Family Court, Jajpur. The said C.P. has been filed by the husband in the marriage under Section 13(1) (i-a) (i-b) of the Hindu Marriage Act, 1955 seeking dissolution of marriage solemnized between



the parties on 07.05.2019 at Tangi in the district of Cuttack.

3. The learned counsel Mr. Mishra has appeared for opposite party-husband in the marriage by filing Vakalatnama. He submits that he has received instruction that the opposite party-husband in the marriage agrees for the transfer of the petition to the court of learned Judge, Family Court at Cuttack.

Learned counsel highlights the fact that due to repeated default on the part of the petitioner-wife in the C.P. before the learned Judge, Family Court, Jajpur she has been set ex-parte. She has never appeared before the said Court. After filing of the present application and order dated 10.02.2026 she only produced the certified copy of the order dated 10.02.2026 before the learned Family Court. It is submitted that the opposite party is put to difficulty before the Family Court because of non-cooperation of the petitioner.

Mr. Mohapatra, learned counsel for the petitioner submits that the petitioner sincerely wants to resume the matrimonial relationship.

4. The submissions of the learned counsel for the opposite party are correct to the extent that the petitioner-wife in the marriage has not participated in the conciliation mandated by the statute during



pendency of the petition filed by the husband U/s.13 of the Hindu Marriage Act.

5. This Court also puts on record it's appreciation for the efforts of the learned counsel for the opposite party as well as the response of the opposite party in agreeing to the suggestion of the petitioner-wife that the matter may be prosecuted at Cuttack, which has resulted in early disposal of interlocutory application which has impacted the pending matrimonial proceeding.

6. The C.P. No.353 of 2025 pending before the court of learned Judge, Family Court, Jajpur shall be transferred to the Court of learned Judge, Family Court, Cuttack.

7. The parties are directed to cooperate in sincerely prosecuting the matter including conciliation that would happen.

Copy of this order shall be forwarded to the learned Judge, Family Court, Jajpur and the learned Judge, Family Court, Cuttack to be kept in the records of the proceeding.

8. The parties shall appear before the learned Judge, Family Court, Cuttack on 24.04.2026 on which date the Cr1.P. No.215/2025 filed by the petitioner-wife is posted, as informed by the learned counsel for the opposite party.



On appearance of the parties, learned Judge, Family Court shall proceed with the matter in accordance with law.

9. The petition is disposed of.

(Mruganka Sekhar Sahoo)
Judge

Radha