



IN THE HIGH COURT OF ORISSA AT CUTTACK

MATA No. 48 of 2014

Bidyut Prava Patra

.... **Appellant**

Represented by Advocate –

-Versus-

Samir Ranjan Parida

.... **Respondent**

Represented by Adv.–

Ms. Umarani panda, Advocate

CORAM:

HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

AND

HON'BLE MR. JUSTICE MRUGANKA SEKHAR SAHOO

ORDER

15.09.2025

Order No.

(Hybrid mode)

- 15.** **1.** Vide order dated 08.07.2025 the coordinate Bench, upon hearing the appeal, had passed the following order –

“At the request of learned advocate appearing for respondent-husband, matter is directed to be listed on 26.08.2025 on which date the respondent-husband shall be personally present before the Court to answer certain questions, that obviously have arisen in today’s consideration, there being a challenge to an ex-parte order of decree of dissolution of marriage on the mental status and the alleged fraud applied from the wife’s side in that regard.”

- 2.** Direction for personal appearance of the Respondent-husband was made by the co-ordinate Bench considering the fact that, an ex-parte



decree of dissolution of marriage was passed under Section 12(1)(b) & (c) of the Hindu Marriage Act for declaring the marriage solemnized between the Appellant and the Respondent on 17.06.2009 to be annulled by a decree of nullity. Thereafter the Respondent-husband did not appear as directed by order dated 08.07.2025 and on being requested by the learned counsel Ms. Panda for the Respondent, the matter was adjourned and accordingly listed today.

3. None appears for the Appellant-wife when the matter is called. The Respondent-husband is present in the Court in person. We have interacted with the Respondent in the language he understands, i.e. English.

It is stated by the Respondent-husband that he had filed C.P. No.206 of 2010 before the Court of the learned Judge, Family Court, Cuttack. The Suit was decreed by order dated 13.08.2010. The copy of the order is part of records before this Court.

It is further stated by the learned counsel for the Respondent that he is aware of the decree. He is also aware of the fact that the Defendant-wife in the Suit was set ex parte / did not appear.

4. We brought to the notice of the learned counsel Ms. Panda for the Respondent that notices were issued by the coordinate Bench vide order dated 14.11.2014, fixing returnable date as 19.12.2014. Further, the office note dated 9th January, 2015 indicates that service of notice on the sole Respondent is sufficient and he had entered appearance.

It is submitted by the learned counsel Ms. Panda for the Respondent that the Respondent has not received copy of the appeal memo and other connected papers, as have been filed before this Court.



5. Registry shall provide photo copy of the entire documents to the learned counsel for the Respondent on date she has chosen, i.e. 18th September, 2025. Soft copy / scanned copy of the appeal memo along with the connected papers can also be availed from the Registry of this Court by the learned counsel for the Respondent as per rules.

6. Records of the trial court in C.P. No. 206 of 2010 disposed of by the learned Judge, Family Court, Cuttack dated 13.08.2010 shall be called for and shall be placed for reference. Scanned copy of the TCR shall also be made available.

7. List on 27th October, 2025.

Personal appearance of the Respondent is dispensed with.

Registry shall intimate the learned counsel for the Appellant Mr. Pravat Kumar Mohanty, who is a regular practitioner before this Court, regarding the next date of hearing of the matter.

(Manash Ranjan Pathak)
Judge

(Mruganka Sekhar Sahoo)
Judge

S.K. Parida