



IN THE HIGH COURT OF ORISSA, CUTTACK

TRP(C) No.137 of 2025

CNR No. ODHC010288252025

Swagatika Barik Petitioner

-Versus-

Asutosh Barik Opposite Party

For Petitioner : Mr. R. R. Ray, Advocate

For Opposite Party : Mr. A. S. Paul, Advocate

CORAM: JUSTICE SANJAY KUMAR MISHRA

Date of Hearing & Judgment: 19.08.2026

S.K. MISHRA, J.

1. The present transfer petition has been preferred by the Petitioner-wife under Section 24 of the Code of Civil Procedure for transfer of the proceeding in CP Case No.178 of 2024, pending in the Court of learned Judge, Family Court, Khordha to the Court of learned Judge, Family Court, Jajpur on the grounds detailed in the transfer petition.



2. Being noticed, the Opposite Party-husband has appeared and filed an objection opposing to such prayer for transfer.

3. Since pleadings are complete, on consent of the learned Counsel for the parties, the transfer petition is taken up for hearing and disposal at the stage of admission.

4. Reiterating the grounds urged in the transfer petition, learned Counsel for the Petitioner submits, direction should be given to the learned Judge, Family Court, Khordha to transmit the case record from the Court of learned Judge, Family Court, Jajpur.

5. Though a written objection has been filed by the Opposite Party-husband, on being asked, learned Counsel for the Opposite Party-husband submits, as per the latest instruction received from his client, he has no objection to the prayer for transfer of the petition.

5.1. He further submits, since his client is a Doctor and is currently posted at Jatni, after the case is transferred from the Court of learned Judge, Family Court, khordha to Jajpur, he may face difficulty to attend the day-to-day proceeding at Jajpur by taking leave. Hence, his client should be permitted to appear through virtual mode in CP Case No.178 of 2024



after the said proceeding is transferred to the Court of learned Judge, Family Court, Jajpur.

5.2. Apart from that, learned Counsel for the Opposite Party submits, since the CP is of the year 2024, a direction be given to the Learned Judge, Family Court, Jajpur for early disposal of the said proceeding.

6. In view of the submissions made by the learned Counsel for the Petitioner-wife, pleadings on record, the concession made by the learned Counsel for the Opposite Party-husband and the settled position of law, this Court is inclined to allow the prayer made in the transfer petition.

7. Accordingly, the learned Judge, Family Court, Khordha is directed to transmit the case record in CP Case No.178 of 2024 to the Court of learned Judge, Family Court, Jajpur at the earliest, preferably within a period of seven days from the date of production of certified copy of this Judgment.

8. After receipt of the records, Office of the learned Judge, Family Court, Jajpur, shall re-register the said case, if so required and proceed further in accordance with law giving due opportunity to both the parties . Since the proceeding is of the year 2024, the learned Judge, Family Court, Jajpur shall



try to conclude the said proceeding at the earliest, preferably by end of March, 2027.

9. It is made clear that both the parties will be at liberty to appear before the Court of learned Judge, Family Court, Jajpur 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. The learned Judge, Family Court, Jajpur 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 Orissa High Court Video Conferencing for Courts Rules, 2020. However, on the dates of effective hearing, i.e., for examination and cross-examination of witnesses and other purposes, including conciliation, 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, Jajpur.

10. To avoid delay and notice, both the parties are directed to make a query themselves or through their Counsel from the Court of learned Judge, Family Court, Jajpur to



ascertain the date and purpose of posting of CP Case No.178 of 2024 and participate in the said proceeding.

11. Both the parties are further directed not to seek for unnecessary adjournments and cooperate with the learned Judge, Family Court, Jajpur for early disposal of CP Case No.178 of 2024, as directed above.

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

13. Office is directed to communicate a copy of this Judgment to the Court of learned Judge, Family Court, Khordha so also the Court of learned Judge, Family Court, Jajpur enabling the said Courts to act in terms of the observations made above.

14. Interim order dated 14.05.2025 passed in IA No.121 of 2025 stands vacated.

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

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

*Orissa High Court, Cuttack.
Dated 19th August, 2026/ Mona*