



IN THE HIGH COURT OF ORISSA AT CUTTACK

RPFAM No.172 of 2025

Runa Kumar Nayak* *Petitioner

Mr. G. Dash, Advocate

-versus-

Sarita Sethy and another* *Opp. Parties

**CORAM:
JUSTICE MRUGANKA SEKHAR SAHOO**

**ORDER
30.03.2026
(Hybrid Mode)**

**Order No.
05.**

1. The matter was adjourned by the learned counsel for the petitioner by orders dated 06.08.2025 and 16.09.2025. Thereafter, it was heard at length on 05.02.2026 by this Bench as reflected in the order dated 05.02.2026. The matter was again adjourned on 26.02.2026.

Apparently, after filing of the application, it was presented before this Court in July, 2025 on one pretext or other, the matter is being adjourned.

2. As stated by the learned counsel for the petitioner on instruction that execution is pending before the learned Judge, Family Court, Phulbani.

3. It is observed that pendency of this petition shall not be bar for the learned Judge, Family Court, Phulbani to proceed in the matter in accordance with



law in view of the law laid down by the Hon'ble Apex Court, larger Bench decision in **Rahul S. Shah v. Jinendra Kumar Gandhi and others: (2021) 6 SCC 418** as well as **Rajnesh v. Neha: (2021) 2 SCC 324**.

4. Copy of this order shall be forwarded to the learned Judge, Family Court, Phulbani to be kept in the records of C.R.P. No.48 of 2024 decided on 14.05.2025.

5. Learned counsel for the petitioner seeks further two weeks time.

List in the week commencing 27.04.2026.

(Mruganka Sekhar Sahoo)
Judge

Rajesh