



IN THE HIGH COURT OF ORISSA, CUTTACK

TRP(C) No.186 of 2026

CNR No.ODHC010457382026

Sushila Behera @

Susila Behera

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Petitioner

-Versus-

Bijay Behera

.....

Opposite Party

For Petitioner : Mr. P.K. Muduli, Advocate

For Opposite Party : Mr. A.K. Otta, Advocate

CORAM: JUSTICE SANJAY KUMAR MISHRA

Date of Hearing & Judgment: 07.08.2026

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 C.P. No.27 of 2026, pending in the Court of learned Judge, Family Court, Baripada, to the Court of learned Civil Judge (Sr. Division), Udala on the grounds detailed in the transfer petition.



2. Learned Counsel for the Petitioner submits, in view of the grounds urged in the transfer petition so also settled position of law, direction be given to the learned Judge Family Court, Baripada for transfer of C.P. Case No.27 of 2026 to the Court of learned Civil Judge (Sr. Division), Udala Angul.

3. On being noticed, though the Opposite Party-husband has appeared, no objection has been filed till date opposing to such prayer for transfer. On being asked, Mr. Otta, learned Counsel for the Opposite Party-husband, who appears through Virtual Court, Mayurbhanj at Baripada submits, as per the instruction received, his client has no objection to the prayer made in the transfer petition. However, he prays to permit his client to appear through virtual mode, if he faces any difficulty on any date to remain physically present before the Court of learned Civil Judge (Sr. Division), Udala.

4. In view of the submissions made by the learned Counsel for the Petitioner, pleadings made in the transfer petition and the concession made by the learned Counsel for



the Opposite Party-husband, this Court is inclined to allow the prayer made in the transfer petition.

5. Accordingly, the learned Judge, Family Court, Baripada is directed to transmit the case record in C.P. No.27 of 2026 to the Court of learned Civil Judge (Sr. Division), Udala at the earliest, preferably within a period of seven days from the date of production of certified copy of this Judgment.

6. On receiving the case record in C.P. No.27 of 2026 from the Court of learned Judge, Family Court, Baripada, the Court of learned Civil Judge (Sr. Division), Udala shall re-register the said case, if so required, and proceed further in accordance with law giving due opportunity to both the parties and shall try to conclude the said proceeding at the earliest.

7. It is made clear that both the parties will be at liberty to appear before the Court of learned Civil Judge (Sr. Division), Udala 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 Civil Judge (Sr. Division), Udala 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, 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 Civil Judge (Sr. Division), Udala.

8. To avoid delay and notice, both the parties are directed to make a query themselves or through their Counsel from the Court of learned Civil Judge (Sr. Division), Udala to ascertain the date and purpose of posting of C.P. No.27 of 2026 and participate in the said proceeding.

9. Both the parties are directed not to seek for unnecessary adjournments and cooperate with the learned Civil Judge (Sr. Division), Udala for early disposal of C.P. No.27 of 2026, as directed above.



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

11. Office is directed to communicate a copy of this Judgment to the Court of learned Judge Family Court, Baripada so also the Court of learned Civil Judge (Sr. Division), Udala enabling the said Courts to act in terms of the observations made above.

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

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S.K. Mishra, J.

*Orissa High Court, Cuttack.
Dated the 7th August, 2026/ Banita*