



IN THE HIGH COURT OF ORISSA AT CUTTACK

TRP(C) No.381 of 2017

Rashmita Behera

....

Petitioner

Mr. K. Biswal, Advocate on behalf of
Mr. P.K. Ray, Advocate

-versus-

Narayan Behera

....

Opp. Party

Mr. Prince Patnaik, Advocate

CORAM:

JUSTICE MRUGANKA SEKHAR SAHOO

ORDER

24.02.2026

(Hybrid Mode)

Order No.

06.

- 1.** The matter is listed for hearing at the stage of admission.
- 2.** It is submitted by the learned counsel for the petitioner that the petitioner has a minor child, she stays with her parents at Bhubaneswar and it would be convenient for her to prosecute the matter at Bhubaneswar.
- 3.** In view of the fact that Cuttack and Bhubaneswar are twin contiguous cities the location of two courts being around 25-30 kms. apart, learned counsel for the petitioner was asked how appearing at the Court at Bhubaneswar would be convenient to the petitioner.



The Courts at Bhubaneswar are overburdened with matrimonial cases compared to the Court of the Family Court at Cuttack as the statistics indicates.

4. In considered opinion of this Court having a minor child, if the petitioner wants to leave the child for attending the matter at Bhubaneswar she has to leave the child in care of someone like her parents or relative. The location of the Courts not being far from each other, distance between Courts and place of residence of petitioner would not come to play for deciding whether it would be convenient to prosecute the matter at Cuttack or Bhubaneswar Court.

5. It has also to be noticed that the C.P. is of the year 2017 and if it is transferred to Bhubaneswar, it would be renumbered as a matter of 2026. On being asked, learned counsel for the petitioner submits that he has no instruction regarding the status of the matter at present at what stage the trial is as it has been stayed by the interim order of this Court since 2017.

6. In view of the facts and circumstances indicated above, this Court is of the view that the present case is not a fit case, where transferring the matter from the court of learned Judge, Family Court, Cuttack to the Family Court, Bhubaneswar would enure to the benefit of the petitioner-wife.

7. Accordingly, the petition is disposed of.



The interim order dated 19.12.2017 stands vacated.

8. Since the matter is kept pending in the year 2017 before this Court, the learned Judge, Family Court, Cuttack is requested to take up the matter as expeditious as would be permissible in his board. The parties shall cooperate in expeditious disposal of C.P. No.419 of 2017 and shall not take any unnecessary adjournment.

9. It is submitted by the learned counsel for the petitioner that the petitioner, if required shall avail the facility of Information and Communication Technology (ICT)/digital facility.

It is directed that the parties to the litigation before the learned Court in seisin C.P. No.419 of 2017, if so advised shall make application before the learned Court for extending the facility of ICT such as virtual hearing, deposition etc. Upon making such application, learned court shall pass appropriate orders in accordance with law extending the facility of ICT.

(Mruganka Sekhar Sahoo)
Judge

jyostna