



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.26225 of 2025

Debasis Mallick

....

Petitioner

Mr. K. Dang, Advocate

-versus-

Sujata Anjali Mallick

....

Opposite Party

Mr. A. K. Mohanty, Advocate

CORAM: JUSTICE SANJAY KUMAR MISHRA

ORDER

12.03.2026

Order No.

I.A. No.23292 of 2025

06.

This matter is taken up through hybrid mode.

2. Mr. Dang, learned Counsel for the Petitioner submits, TRP(C) No.08 of 2020 was disposed of without noticing the Petitioner, who was the Opposite Party in the said case. Apart from the same, as directed in TRP(C) No.08 of 2020, the Opposite Party, who was the Petitioner in TRP(C) No.08 of 2020, never communicated the said order dated 03.03.2021 before the Judge, Family Court, Cuttack on time, as a result of which the learned Court below set the Opposite Party ex-parte on 08.04.2021 and ultimately passed an ex-parte judgment in C.P.No.660 of 2019 on 13.05.2021. Much after filing of CMA NO.65 of 2021 for setting aside the said ex-parte judgment, on 24.11.2021, she filed the said order dated 03.03.2021 passed in TRP(C) No.08 of 2020 before the Judge, Family Court, Cuttack along with a Memo.



3. Per contra, Mr. Mohanty, learned Counsel for the Opposite Party-wife submits, even though his client did not produce the said order dated 03.03.2021 passed in TRP(C) No.08 of 2020 before the Judge, Family Court, Cuttack, but as directed, his client filed requisites before this Court, pursuant to which Registry communicated the said order to the present Petitioner, who was the Opposite Party in TRP(C) No.08 of 2020, so also the learned Court below vide Issue Nos. 2730/2021 and 2729/2021, dated 26.03.2021 and 07.04.2021 respectively.

4. In view of such submissions of the learned Counsel for the parties, Office is directed to examine the records in TRP(C) No.08 of 2020 and give appropriate noting in the cause list as to whether in the said transfer petition, the Opposite Party-husband, being noticed, appeared before disposal of the said transfer petition on 03.03.2021, if so, the name of the Counsel, who represented the Opposite Party-husband in TRP(C) No.08 of 2020.

5. Office is further directed to keep on record the copies of communications allegedly made to the learned Court below as well as Opposite Party in TRP(C) No.08 of 2020, pursuant to order dated 03.03.2021 passed in TRP(C) No.08 of 2020.

6. The matter be listed on 20th March, 2026 along with records of TRP(C) No.08 of 2020, disposed of on 03.03.2021, for reference.

Prasant

(S.K. MISHRA)
JUDGE

Signature Not Verified

Digitally Signed
Signed by: PRASANT KUMAR PRADHAN
Designation: Secretary
Reason: Authentication
Location: High Court of Orissa, Cuttack.
Date: 13-Mar-2026 18:31:54