



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.29531 of 2025

Subasini Mohanty @ Nayak **Petitioner**
Mrs. A. Dash, Advocate

-versus-

Sidhartha Kumar Nayak **Opposite Party**

CORAM: JUSTICE SANJAY KUMAR MISHRA

ORDER

18.12.2025

Order No.

02

This matter is taken up through hybrid mode.

- 2.** Learned Counsel for the Petitioner is present.
- 3.** Office note indicates that notice issued to the Opposite Party No.1 has returned with a noting, "refused hence returned to sender". Hence, notice on the sole Opposite Party is held to be sufficient.
- 4.** On being prayed by the learned Counsel for the Petitioner, the writ petition is taken up for hearing and disposal at the stage of admission.
- 5.** Learned Counsel for the Petitioner, drawing attention of this Court to petition dated 04.01.2025 so also the impugned order dated 16.09.2025, vide which the said petition stood rejected, submits that because of changed circumstances the Petitioner wife was ready and willing for reunion. Accordingly she filed an application on 04.01.2025 with a prayer to pass necessary order to refer the parties to mediation centre



for reconciliation and reunion of the parties. However, the learned Court below rejected the said petition.

6. As is ascertained from the impugned order, the said petition was rejected on the ground that earlier there was a D.V. Case at the instance of the Petitioner. Though the matter was referred to the Mediation Centre, but it failed. It has also been rejected on the ground that the Opposite Party-Husband has already closed his evidence and such a prayer at the instance of the Respondent, at a belated stage, seeking mediation will cause harassment and humiliation to the husband.

7. It is further observed in the impugned order that, after failure of the conciliation proceeding between the parties before the Counsellor and P.O., the evidence from the side of husband has already been closed since dtd.23.12.2023. The respondent-wife, thereafter, is taking time to adduce evidence and she has filed such a petition after about one year, with a prayer to send the record to Mediation Centre for reconciliation and reunion in a belated stage with an intention to linger the case.

8. That apart, the learned Court below, referring to the Supreme Court judgment in AIR (2013) SC 2176 (**K. Srinivas Rao Vs. D.A. Deepa**), rejected the said petition also on the ground that the husband has not given his consent for the said purpose.



9. After going through the impugned order dated 16.09.2025 passed in C.P. No.312 of 2020 and hearing the learned Counsel for the Petitioner, this Court is of the view that there is no illegality or infirmity in the said order, deserving interference.

10. Accordingly, the writ petition stands dismissed.

(S.K. MISHRA)
JUDGE

Banita