



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.4000 of 2024

**Surendranath Sahoo &
others**

.... Petitioners
Mr. Devashis
Panda,
Advocate

-versus-

Sradhanjali Sahoo

.... Opp. Party

CORAM:

JUSTICE SIBO SANKAR MISHRA

CRLMC No.4000 of 2024 & I.A. No.2777 of 2024

**Order
No.**

**ORDER
17.12.2024**

01.

1. The petitioners are aggrieved by the order dated 21.11.2023 passed by the learned J.M.F.C.-III (Cog. Taking), Cuttack in DVCMC No.07 of 2009, whereby the application of the petitioner for dropping the criminal proceeding has been turned down. The said order was challenged by the petitioner in the appellate Court by filing Criminal Appeal No.102 of 2023. The learned 2nd Additional Sessions Judge, Cuttack, vide its judgment dated 16.05.2024, has confirmed the order of the learned Court below. Therefore, the petitioners are also aggrieved by the judgment of the learned 2nd Additional Sessions Judge, Cuttack.



2. Mr. Panda, learned counsel for the petitioners submits that the petitioner No.1 initiated the Civil Proceeding against the opposite party under Section 13 of the Hindu Marriage Act and on the basis of the settlement terms, the marriage has been dissolved by the learned Judge, Family Court, Cuttack vide its judgment dated 05.05.2020 in Civil Proceeding No.1136 of 2011. Relying upon the judgment of the learned Judge, Family Court, Cuttack in Civil Proceeding No.1136 of 2011, the petitioners moved an application for dropping of the D.V. proceeding, which has been turned down by the Courts below.

3. Issue notice to the opposite party by Registered Post with A.D./Speed Post with A.D. Requisites shall be filed by 19.12.2204.

4. List this matter on 24.01.2025.

5. In the meantime, the further proceeding in DVCMC No.07 of 2009 pending in the Court of the learned J.M.F.C.-III (Cog. Taking), Cuttack is stayed till the next date of hearing.

(S.S. Mishra)
Judge

Subhasis

Signature Not Verified

Digitally Signed
Signed by: SUBHASIS MOHANTY
Designation: Personal Assistant
Reason: Authentication
Location: High Court of Orissa, Cuttack.
Date: 18-Dec-2024 10:47:52

