



**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**W.P.(C) No.1463 of 2026**

**Anita Rani Das @ Behera** .... **Petitioner**

*Mr. Vivekananda Jena, Advocate*

*-versus-*

**Himansu Bhusan Behera** .... **Opp. Party**

**CORAM:  
JUSTICE MRUGANKA SEKHAR SAHOO**

**ORDER**  
**22.01.2026**  
*Hybrid Mode*

**Order No.**

1. 1. Heard learned counsel for the petitioner.
2. 2. The petitioner-wife in the marriage by filing the writ petition challenges the order passed by the learned Judge, Family Court, Balasore rejecting the Civil Misc. Case No.44 of 2020 filed by the petitioner-wife under Order 9 Rule 13 of C.P.C. for setting aside of ex-parte judgment and decree dated 20.11.2025.
3. 3. In considered opinion of this Court, for challenging an ex-parte decree before this court appeal in the form of MATA is the proper application which is not in the determination of Single Bench but in the determination of Division Bench.

Learned counsel for the petitioner seeks accommodation to obtain instruction and take appropriate steps.



**4.** Accordingly, the matter shall be listed in the week commencing 09.02.2026. The petitioner has the liberty to take appropriate steps as available under law.

***(Mruganka Sekhar Sahoo)***  
***Judge***

Gs