

IN THE HIGH COURT OF ORISSA AT CUTTACK  
TRP (C) No.262 of 2022

*Soubhagyabati Nayak*

.... *Petitioner*  
*Mr.G.K.Acharya, Advocate*

*Versus*

*Chandrabhanu Das*

.... *Opp. Party*

**CORAM:**  
**JUSTICE SAVITRI RATHO**

**ORDER**  
**28.07.2022**

**Order No.**

01.

**TRP (C) No.262 of 2022 & I.A. No.294 of 2022**

This matter is taken up by hybrid mode.

2. This application has been filed by the petitioner-wife under Section 24 of C.P.C. for transfer of Civil Proceeding No.214 of 2021 filed by her under Section-9 of the Hindu Marriage Act, 1955 for Restitution of Conjugal Rights in the Court of learned Judge, Family Court, Cuttack, to the Court of learned Judge, Family Court, Keonjhar.

3. Learned counsel for the petitioner submits that after receiving notice in C.P. No.110 of 2021, on wrong advice, the petitioner has filed the present C.P. No.214 of 2021 in the Court of the learned Judge, Family Court, Cuttack. In TRP (C) No.261 of 2022, which has been filed by the petitioner for transfer of Civil Proceeding No.110 of 2021 filed by the opp. party-husband under Section- 13 (1) (i-a) of the Hindu Marriage Act, 1955 in the Court of learned Judge, Family Court, Cuttack, to the Court of learned Judge, Family Court, Keonjhar, notice had been issued to the opp. party. He further submits that the marriage between the parties had been solemnized on 25.11.2017 at Bhubaneswar but the petitioner was compelled to leave

her matrimonial home on 27.1.2021 and since then she is staying in her father's place at Joda and since December, 2018 when the petitioner has lost her job, she is totally dependent on her father, who is a retired government employee. In view of distance between Cuttack and Joda which is about 300 K.Ms, it is impossible for her to travel to Cuttack to contest the case.

4. Considering the above submissions, issue notice to the opp. party in the main case as well as in the I.A. by Speed Post with A.D., requisites for which shall be filed by 01.08.2022. The notice shall be made returnable within two weeks.

5. List this matter on 16.08.2022 for orders.

.....  
**Savitri Ratho**  
**Judge**

*Bichi*

