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

**W.P. (C) No. 139 /2012**

Code No- 280400

In the matter of:

An application under Article 226 and 227 of the Constitution of India.

And

In the matter of:

An application challenging the order dated 15.11.2011 passed by the Learned Civil Judge (Sr.Divn), Titilagarh.

*Presented in Court  
B.O.  
[Signature]*

And

In the matter of:

Fata Nag, aged about 39 years, W/o Diptidan Kumbhar, At- Nilachakra Nagar, Titilagarh, Po/PS- Titilagarh. Dist-Bolangir.

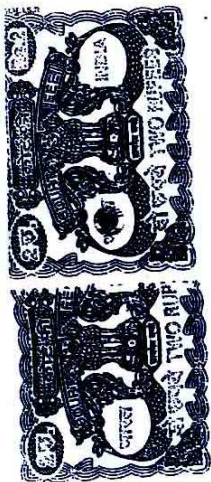
(Plaintiff in the court below)

--Petitioner

-Versus-

Diptidhan Kumbhar aged about 42 years, S/o prafulla Kumbhar, At- Nilachakra naga, Titilagarh, PS/po- Tititlagarh, Dist-Bolangir.

At present staying at -H.C/R.O.D/4 signal/B.N/C.R.P.F, At/Po-GSIT near Bidhansabha, Raipur, Dist-Raipur (Chhattisgarh)



*B.K.NAYAK  
NOTARY  
CUTTACK TOWN*

*[Handwritten signature]*

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[O. H. C.-98]

Sl. No. of Order	Date of Order	ORDER WITH SIGNATURE	Office note as to action (if any), taken on Order
02.	12.1.2012	<p>Heard learned counsel for the petitioner and perused the impugned order.</p> <p>The grievance of the petitioner is that her prayer to supply her a Odiya copy of the English version of the written statement filed by defendant in C.S. No. 50 of 2009 was turned down by the learned Civil Judge (Sr.Divn.), Titilagarh, vide the impugned order in Annexure-4.</p> <p>In the impugned order at Annexure-4, the learned court below rejected the prayer of the plaintiff-petitioner on the ground that since English is one of the court language and written statement has been filed by the defendant is in English, he cannot force the defendant to supply the Odiya version of the written statement to her.</p> <p>It appears that while passing the impugned order, the learned trial court probably lost sight of the provisions contained in Section 137(3) of the Code of Civil Procedure so also the decision of this Court as reported in <b>2007(II) OLR-254, in the case of Tikeram Luha V. the District and Sessions Judge, Bolangir and four others.</b> It is also brought to my notice that this Court also in another case i.e. W.P.(C) No. 5958 of 2007 by relying upon the provisions of Section 137(3) of the Code of Civil Procedure directed Registrar, Civil Courts, Bolangir to consider the prayer of the applicant for</p>	



Sl. No. of Order	Date of Order	ORDER WITH SIGNATURE	Office note as to action (if any), taken on Order
		<p>supply of the copy of the judgment in Odiya since the party was unable to understand English language.</p> <p>Thus, while setting aside the impugned order at Annexure-4, the learned Civil Judge (Sr.Divn.), Titilagarh is directed to follow the provisions contained in Section 137(3) of the Code of Civil Procedure and he shall reconsider the prayer of the petitioner for supplying her the Odiya version of the written statement filed by the defendant in C.S. No. 50 of 2009 within a period of fifteen days from the date of receipt of this order.</p> <p>The writ petition stands disposed of.</p> <p>Urgent certified copy of the order be granted on proper application.</p>	<p>sa/- B.K. Mehera, J.</p> <p>Comp. by <i>[Signature]</i> 16-1-12</p>

