

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

**CRLMP No.464 of 2025**

***Kuni Dehury***

....

***Petitioner***

Mr. G.S. Nayak, Advocate

*-versus-*

***Chandan Kumar Bharati***

....

***Opp. Party***

**CORAM:**

**JUSTICE CHITTARANJAN DASH**

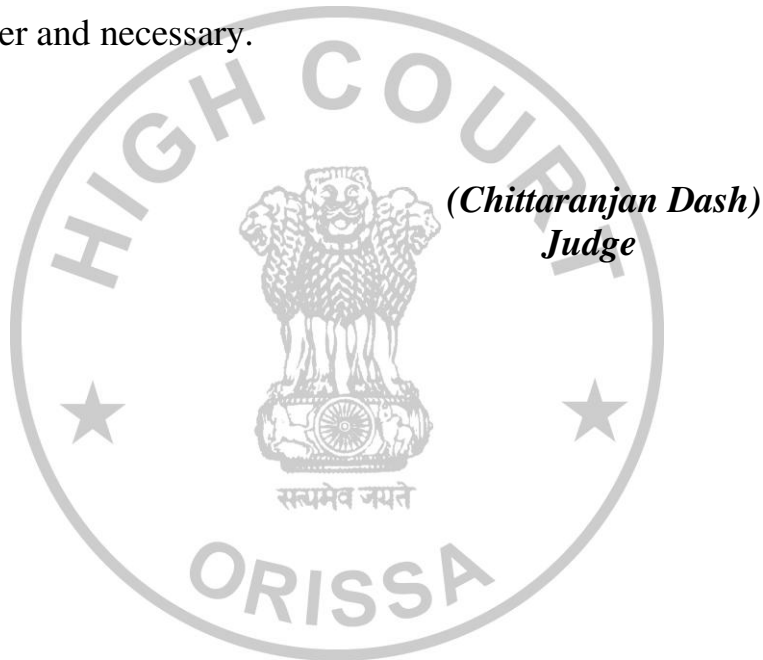
**Order No.**

**ORDER**  
**30.06.2025**

01. 1. Heard learned counsel for the Petitioner and the State.
2. By means of this application, the Petitioner has sought for the intervention of this Court for set aside the impugned order dated 07.10.2024 under Annexure-4 passed by the learned Judge, Family Court, Angul in C.R.P. No.05 of 2022 wherein the court has directed the Opposite Party to appear through V.C. at Bhubaneswar.
3. The sole submission of the learned counsel for the Petitioner that the aforesaid order directing the Opposite Party to appear through V.C. has to be turned down and the Opposite Party is directed to appear physically is not acceptable inasmuch as the presence of a witness maybe ensured either physically or through virtual mode on the basis of rule of evidence. The manner of appearance has to be decided by the court keeping in view the convenience of the witness concerned and it cannot be a ground to assail the order of the court. The only aspect which is to be assured by the court is that a fair opportunity be given to the parties. In the instant case, the court

seeks cross examination of the witness at the instance of the party. Hence, the opportunity of cross examination being the primacy in issue presence of witness physically or through virtual mode does not affect the interest of the party.

4. Considering the aforesaid facts, the impugned order does not suffer from any infirmity and the same is proper. The CRLMP stands dismissed. However, it is made clear that no adjournment shall be taken by the Opposite Party save and except the court finds it proper and necessary.



*KC Bisoi*