

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

CRP.No.4207 of 2013

ORDER :

This Revision is filed under Article 227 of the Constitution of India challenging the docket order dt.11.09.2013 on the file of the Judge, Family Court, Ranga Reddy District, at L.B. Nagar, Hyderabad.

2. The petitioner herein is husband of respondent.
3. The respondent filed OP.No.338 of 2011 on the file of Family Court, Ranga Reddy District, at L.B. Nagar seeking dissolution of marriage between her and petitioner.
4. The petitioner herein also filed O.P.No.1516 of 2012 before the Family Court, City Civil Court, Hyderabad seeking restitution of conjugal rights against respondent.
5. In O.P.No.338 of 2011, the Family Court, Ranga Reddy District on 06.10.2012 directed petitioner herein to appear in person for the purpose of counseling. Alleging that he is employed in United States of America and it is not physically possible for him to attend counseling, he filed I.A.No.4509 of 2012 to dispense with his personal appearance for the purpose of re-conciliation, and to arrange video-conferencing or tele-conferencing or any other mode for the purpose of re-conciliation.
6. Counter-affidavit was filed by respondent's wife to the said application, but that application was not decided and was kept pending.

7. On 11.09.2013, the Court below passed a docket order stating that petitioner had not complied with the court's direction to appear in person for the purpose of re-conciliation because of which the matter was getting adjourned from time to time, and again directed petitioner to appear before the Court on 11.10.2013.
8. Questioning the same, the present Revision is filed.
9. The principle grievance of petitioner is that when he filed I.A.No.4509 of 2012 to dispense with his personal appearance and to conduct re-conciliation by video-conferencing, without deciding the said I.A. the Family Court, Ranga Reddy District cannot insist on his personal appearance.
10. Heard Sri V.V. Prabhakara Rao, counsel for petitioner; and Smt. G. Deepika, counsel for respondent.
11. Both counsel have stated at the Bar that there is no chance of re-conciliation between the parties and that there is no purpose served in now insisting that the parties attempt a re-conciliation through counseling, and it is desirable to have the O.P. decided on merits.
12. Having regard to this submission of both sides, the Family Court, Ranga Reddy District is directed to decide O.P.No.338 of 2011 without insisting for the presence of petitioner, except for undergoing cross-examination, as expeditiously as possible preferably within a period of six (06) months from the date of receipt of a copy of this order.
13. Therefore, the Civil Revision Petition is disposed of with the above direction. No order as to costs.

14. As a sequel, miscellaneous petitions pending, if any, in this Revision shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 30.10.2015

Ndr/*

Note : Issue C.C. within one (01) week.

B/o

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