

HON'BLE SRI JUSTICE S. RAVI KUMAR

TRANSFER C.M.P.No.692 of 2013

ORDER:

This petition is filed to withdraw Special O.P.No.185 of 2013 from the file of Principal District Judge, Khammam and transfer the same to any competent Court at Karimnagar, for disposal in accordance with law.

2. Wife filed this petition contending that she is working as Health Supervisor at Primary Health Centre, Kataram Village, Karimnagar District, and it is difficult for her to go to Khammam for each and every adjournment to defend the O.P. filed by respondent-husband. She further contended that she apprehend serious life threat in the hands of respondent at Khammam and on these grounds she prayed for transfer of Special O.P. from Khammam to Karimnagar.

3. Other side filed counter disputing the affidavit averments of petitioner and according to the counter of respondent, petitioner herein filed cases against him in West Godavari District and seeking transfer from Khammam to Karimnagar is only to harass him. It is further contended that petitioner herein is appearing before Additional Sessions Judge, Narsapur, West Godavari District in Crl.A.No.363 of 2012 filed against the acquittal of the case filed for the offences under Sections 498-A, 420, 494, 341 and 506 read with 34 IPC and it is difficult for him to attend Karimnagar Court if the O.P. is

transferred.

4. Heard both sides.

5. Both advocates submitted their arguments in support of respective pleadings of their clients. I have perused the material papers filed along with transfer C.M.P. Though respondent contended and referred about M.C., the fact remains that M.C. is not pending and it was dismissed in the year 2010, so also the criminal case was also ended in acquittal and only appeal is pending before Additional Sessions Judge, Narsapur. Now the present O.P. is filed for divorce and wife is contesting the same. The only ground urged for transfer is that she is working in Primary Health Centre at Karimnagar and it is difficult for her to go to Khammam and she also contended she apprehends danger to her life at Khammam, which is disputed by husband.

6. Considering the contentions and rival contentions of both parties, I feel that the request of wife can be considered by directing the Court, to which the case is being transferred, to dispense with the presence of respondent herein for each and every adjournment.

7. Accordingly, Special O.P.No.185 of 2013 is withdrawn from Principal District Judge, Khammam and transferred to Principal District Judge, Karimnagar, for disposal in accordance with law. The Principal District Judge, Karimnagar, shall dispose of Special O.P.No.185 of 2013, as expeditiously as possible, by dispensing with

the presence of respondent herein for each and every adjournment. However, he shall appear as and when his physical presence is necessary for any specific purpose.

8. For these reasons, the transfer C.M.P. is ordered.
No costs.

9. Miscellaneous Petitions pending, if any, shall stand dismissed.

S. RAVI KUMAR, J

6th March 2015.

mar