

HON'BLE SRI JUSTICE S. RAVI KUMAR

Tr.CIVIL MISCELLANEOUS PETITION No.372 of 2014

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ORDER:

This petition is filed to withdraw O.P.No.18 of 2014 from the file of Senior Civil Judge, Siricilla, Karimnagar district and transfer the same to Family Court, Nizamabad for disposal in accordance with law.

2. Petitioner herein is wife and she filed her affidavit in support of the petition, according to which, her marriage with respondent was performed on 13.11.2011 at Nizamabad and she joined her husband and thereafter she was harassed and for that she is staying separately with her parents at Nizamabad. She stated that she gave birth to a female child on 17.01.2013 and respondent/husband has not taken any care even after birth of female child and he filed O.P.No.18 of 2014 before Senior Civil Judge, Siricilla for dissolution of marriage. She further stated that she has to travel from Nizamabad to Siricilla with a small baby in arms and that she has life threat at Siricilla and she has no source of income and she is dependent on her parents. For these reasons, she prayed for transfer of O.P.No.18 of 2014 from Senior Civil Judge, Siricilla to Family Court, Nizamabad.

3. Respondent in spite of taking time for filing counter, no counter is filed disputing the grounds urged for transfer.

4. Heard arguments.

5. Advocate for petitioner/wife submitted that petitioner filed maintenance case before Family Court, Nizamabad and the same

is pending and that she is not in a position to meet travel expenses from Nizamabad to Siricilla to defend O.P.No.18 of 2014 and by considering her convenience, O.P. may be transferred to Family Court, Nizamabad.

6. I have perused the material papers filed along with transfer petition. Petitioner/wife even expressed life threat at Siricilla besides inconvenience. She pleaded that she has no source of income and she is completely dependent on her parents and living on their mercy. According to her affidavit, she has to travel from Nizamabad to Siricilla to defend O.P.No.18 of 2014 along with a baby of about 2 years old, these contentions are not disputed, as no counter is filed on behalf of respondent/husband.

7. Considering the reasons stated in the affidavit and also considering the convenience of petitioner/wife, O.P.No.18 of 2014 is withdrawn from the file of Senior Civil Judge, Siricilla and transferred to Family Court, Nizamabad for disposal in accordance with law.

8. Accordingly, this Transfer Miscellaneous Petition is allowed. No costs. Miscellaneous Petitions, if any pending, in this petition, shall stand closed.

S. RAVI KUMAR, J

Date: 17-03-2015
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