

HON'BLE SRI JUSTICE S. RAVI KUMAR

TRANSFER C.M.P.Nos.787 of 2014 & 6 of 2015

COMMON ORDER :

These two petitions are filed to transfer O.S.No.821 of 2014 and O.P.No.2956 of 2014 from II Additional Chief Judge, City Civil Court, Hyderabad, to any other Court having jurisdiction in City Civil Courts, Hyderabad.

2. Respondents No.1 and 2 in Transfer C.M.P.No.787 of 2014 in spite of service of notice neither appeared in person nor through any Advocate and Advocate for respondents No.3 and 4 reported no objection for transfer, as prayed for.

3. In transfer C.M.P.No.6 of 2015, no counter is filed for respondents No.1 and 2 disputing the affidavit averments filed in support of transfer C.M.Ps.

4. Heard arguments.

5. The main grievance of petitioner in both these transfer C.M.Ps. is that the Presiding Officer of the Court is not taking up the vacate stay petition filed by petitioner herein, but taking up the other miscellaneous petitions and that made petitioner to file these transfer C.M.Ps. on the ground that they lost confidence in the Court of II Additional Chief Judge, City Civil Court, Hyderabad.

6. I have perused the affidavits filed in support of the petitions and several instances are given in support of the grounds urged for transfer. Once such allegations are made even it cause embarrassment to the Presiding

Officer to hear the matter, therefore, without going into the correctness of those aspects, I feel by transferring the matters i.e., O.S.No.821 of 2014 and O.P.No.2956 of 2014 from the Court where they are now pending to any other competent Court, to meet ends of justice. Further, when the affidavit averments of petitioner are not rebutted by any counter-affidavit or any counter by the opposite parties, it has to be treated opposite parties also have no objection for transfer of both the matters from the Court of II Additional Chief Judge, City Civil Court, Hyderabad.

7. For these reasons, O.S.No.821 of 2014 and O.P.No.2956 of 2014 are withdrawn from II Additional Chief Judge, City Civil Court, Hyderabad, and transferred to XXV Additional Chief Judge, City Civil Court, Hyderabad, for disposal in accordance with law.

8. Accordingly, transfer C.M.P.Nos.787 of 2014 and 6 of 2015 are allowed. No costs.

9. Miscellaneous Petitions, if any, shall stand closed.

S. RAVI KUMAR, J

16th February 2015.

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