

HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

TRANSFER C.M.P.No.448 of 2013

ORDER:

This petition is filed under Section 24 C.P.C., to withdraw M.V.O.P.No.1183 of 2006 from the file of the I Additional District Judge – cum – Chairman, Motor Accident Claims Tribunal, at Warangal, and transfer the same to the file of Chief Judge-cum-Chairman, Motor Accidents Claims Tribunal, City Civil Court, Hyderabad.

2. First respondent refused to take notice. The second respondent having received the notice did not choose to appear and oppose the petition. Hence, I am inclined to dispose of the matter on merits in the absence of the respondents. Heard the learned counsel for the petitioners and perused the material available on record.

3. The petitioners 1 to 5 herein filed M.V.O.P.No.1183 of 2006 claiming compensation for the death of Sanjay Agarwal, husband of the first petitioner and father of petitioners No.2 and 3. It appears after filing of the petition, the petitioners have shifted their residence from Warangal to Hyderabad. The petitioners filed AADHAR Card along with the transfer petition. A perusal of the AADHAR Card reveals that the petitioners have been residing in Hyderabad. While deciding the petitions of this nature, the Court has to take into consideration the inconvenience likely to be caused to the parties to the proceedings. Even if the petition is allowed, the same may not cause any prejudice to the respondents.

4. Having regard to the facts and circumstances of the case and other attending circumstances, I am of the considered view that it is a fit case to allow the petition.

5. Accordingly, the Transfer Civil Miscellaneous Petition is

allowed. M.V.O.P.No.1183 of 2006 is withdrawn from the file of the I Additional District Judge cum Chairman, Motor Accident Claims Tribunal, at Warangal, and transferred to the file of Chief Judge – cum - Chairman, Motor Accident Claims Tribunal, City Civil Court, Hyderabad, for disposal in accordance with law. As a sequel, miscellaneous petitions, if any, pending in this transfer petition shall stand closed.

T.SUNIL CHOWDARY, J

02.09.2015.

Rns