

HON'BLE SRI JUSTICE S. RAVI KUMAR

TRANSFER C.M.P.No.366 of 2014

ORDER:

This petition is filed to withdraw H.M.O.P.No.48 of 2007 from the file of Senior Civil Judge, Kovvur, SPSR Nellore District, and transfer the same to Senior Civil Judge, Eluru, West Godavari District.

2. Wife filed this petition and according to her affidavit, it is difficult for her to travel from Eluru to Kovur, Nellore District, which is at a distance of 400 k.m. She also contended that after retirement of her father, they came back to Eluru and staying there and she is dependent on her parents and it is difficult for her to go to Kovur for defending the case, which is coming up for further evidence on behalf of petitioner herein.

3. Other side has not filed any counter.

4. Heard both sides.

5. As seen from material, the O.P. is of the year 2007, in which trial has commenced and it is coming up for evidence on behalf of the petitioner herein. It is pending before Senior Civil Judge, Kovur, where physical presence of the parties is not necessary for each and every adjournment and they can be represented by Advocates. As the matter is already coming up for further evidence of petitioner and having prosecuted the case all these years from 2007, at this stage seeking transfer on the ground of convenience, in my view cannot be accepted.

6. For these reasons, the petition is dismissed, directing the Court below i.e., Senior Civil Judge, Kovur, SPSR Nellore District, to expedite the hearing of HMOP No.48 of 2007 and dispose of the same within three months from the date of receipt of a copy of this order. No costs.

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

S. RAVI KUMAR, J

10th April 2015.

pab