

HONOURABLE SRI JUSTICE S.RAVI KUMAR

TRANSFER C.M.P.No.608 of 2014

Dated 30th March, 2015

Between:

Yasarapu Vanaja.

...Petitioner.

And:

Yasarapu Raghu.

...Respondent.

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HONOURABLE SRI JUSTICE S.RAVI KUMAR

TRANSFER C.M.P.No.608 of 2014

ORDER:

This petition is filed to withdraw O.P.No.51 of 2014 from Senior Civil Judge, Huzurnagar and transfer to III Additional District Judge, Warangal.

Wife filed this application on the ground that she is staying at Warangal with her parents and it is difficult for her to travel from Warangal to Huzurnagar which is more than 250 K.M., It is further contended that she has no means to meet the travel expenses for defending O.P.filed by husband. She further contended that husband is attending family Court at Warangal in connection with petition filed by her in M.C. for enhancement of maintenance and no prejudice will be caused to respondent if O.P. No.51 of 2014 is transferred to Family Court, Warangal.

Other side opposed and contended that petitioner has already engaged advocate at Huzurnagar and filed counter and contesting the case and that there are no grounds for transfer of O.P. from Huzurnagar to Warangal.

Heard both sides.

Both side advocates submitted their argument supporting the contention of their respective clients.

The main argument of advocate for petitioner is that trial court is insisting for presence of petitioner and it is causing difficulty for her as it is 250 K.M., away from place of her residence.

Considering the submissions of learned counsel for petitioner, I feel that this petition can be disposed of by directing the Senior Civil Judge, Huzurabad to dispose of O.P.No.51 of 2014 within specified time without insisting presence of petitioner (wife) for each and every adjournment, directing her to attend whenever her physical presence is necessary for any specific purpose.

Accordingly, transfer C.M.P. is disposed of directing the Senior Civil Judge, Huzurnagar to dispose of O.P. within six months from the date of receipt of copy of this order without insisting for the presence of petitioner (wife) for each and every adjournment. However, she shall attend as and when her physical presence is necessary. Petitioner is at liberty to invoke proceedings under Section 24 of Hindu Marriage Act with regard to expenses.

As a sequel to the disposal of this petition, the Miscellaneous Petitions, if any, pending, shall stand dismissed.

JUSTICE S.RAVI KUMAR

Dated 30th March, 2015.

Dvs

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