

HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

TRANSFER CIVIL MISCELLANEOUS PETITION No.154 of 2015

ORDER:

This petition is filed under Section 24 CPC to withdraw O.P. No.791 of 2013 from the file of Additional Family Court, Hyderabad and transfer the same to the file of Family Court, Kurnool for disposal in accordance with law.

2. Heard the learned counsel for both the parties and perused the material available on record.

3. A perusal of the record reveals that the marriage of the petitioner was performed with the respondent on 07.5.2006 at Hanamkonda as per Hindu rites and caste customs. Immediately after the marriage, petitioner joined the respondent to lead marital life. The petitioner and respondent are Doctors by profession. They stayed together for some time at United Kingdom. Out of lawful wedlock, they were blessed with a daughter. Unfortunately, bad weather prevailed in the family life of the petitioner and respondent. While so, the petitioner filed O.P. No.53 of 2012 on the file of Senior Civil Judge, Hindupur, Anantapur District for dissolution of marriage between him and the respondent. The respondent herein filed Transfer CMP No.695 of 2012 before this court to withdraw O.P.No.53 of 2012 from the file of Senior Civil Judge, Hindupur and transfer the same to the file of Family Court, Hyderabad and the said transfer petition was allowed. O.P. No.53 of 2012 was renumbered as O.P.No.791 of 2013 and the same is pending on the file of Additional Family Court, Hyderabad.

4. The petitioner filed the present petition seeking to withdraw O.P. No.791 of 2013 from the file of Additional Family Court, Hyderabad and transfer the same to the Family Court, Kurnool. If this petition is allowed, certainly it would amount to reviewing of the orders of this court passed in Transfer CMP No.695 of 2012, which is not legally permissible. This Court has considered the convenience or inconvenience of both the parties and allowed Transfer CMP No.695 of 2012.

5. Having regard to the facts and circumstances of the case, I am of the considered view that the petitioner has not made out grounds much less valid grounds to allow the petition. The petition lacks merits and bona fides.

6. Hence, the Transfer CMP is dismissed. However, the learned Judge, Additional Family Court, Hyderabad is hereby directed to dispose of the O.P. as expeditiously as possible. As a sequel, miscellaneous petitions pending in this transfer petition shall stand closed.

T.SUNIL CHOWDARY, J

Date: 18.6.2015.

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