

HON'BLE SRI JUSTICE S. RAVI KUMAR

TRANSFER C.M.P.No.451 of 2014

ORDER:

This petition is filed to withdraw Divorce O.P.No.866 of 2013 from the file of Principal District Judge, Guntur, and transfer the same to Principal District Judge, Nellore.

2. Wife filed this petition and according to her affidavit, she is suffering with cervical spondylitis since 1994 and due to said ailment, it is difficult for her to travel from Nellore to Guntur, for the purpose of defending Divorce O.P.No.866 of 2013. It is further stated that O.P. for judicial separation was filed in Nellore Court by the very same respondent and an order was passed on 01.10.1997.

3. Other side filed counter objecting for transfer of Divorce O.P.No.866 of 2013.

4. Heard both sides.

5. Advocate for petitioner submitted that due to ill-health, it is difficult for her to travel from Nellore to Guntur and on that ground she prayed for transfer of Divorce O.P.No.866 of 2013 filed by respondent from Guntur to Nellore.

6. Advocate for respondent opposed petition and contended that medical bills and medical record is of the year 1998 and no material is produced to show that she is still suffering with that ailment.

7. I have perused material papers and also counter-affidavit filed by respondent.

8. Considering the contentions and rival contentions of both parties, without going into the merits and demerits of the case, I feel that the request of petitioner can be considered by dispensing with the presence of respondent herein for each and every adjournment.

9. For these reasons, Divorce O.P.No.866 of 2013 is withdrawn from Principal District Judge, Guntur, and transferred to Principal District Judge, Nellore, for disposal in accordance with law. The Principal District Judge, Nellore, shall dispense with the presence of respondent herein for each and every adjournment. However, respondent herein shall appear as and when his physical presence is necessary for any specific purpose.

10. With the above direction, transfer C.M.P. is ordered. No costs.

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

S. RAVI KUMAR, J

30th March 2015.

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