

HON'BLE SRI JUSTICE S. RAVI KUMAR

TRANSFER C.M.P.No.560 of 2013

ORDER:

This petition is filed to withdraw O.P.No.1197 of 2013 from the file of Additional Family Court, City Civil Court, Hyderabad, and transfer the same to Family Court, Guntur.

2. Wife filed this petition and according to her affidavit, she is now residing at Ponnur, Guntur District, and it is difficult for her to travel from Ponnur to Hyderabad for defending O.P.No.1197 of 2013 filed by respondent-husband for restitution of conjugal rights. It is further stated that she has a life threat at Hyderabad in the hands of husband, for these reasons, she prayed for transfer of O.P.No.1197 of 2013 from Additional Family Court, City Civil Court, Hyderabad, to Family Court, Guntur. She further stated that she is carrying pregnancy of 8th month and that is one of reasons for seeking transfer from Hyderabad to Guntur.

3. Other side has not filed any counter.

4. Heard both sides.

5. Advocate for petitioner submitted that it is difficult for petitioner to travel from Ponnur to Hyderabad for the purpose of defending O.P.No.1197 of 2013. Considering the convenience of wife, O.P.No.1197 of 2013 may be transferred to Family Court, Guntur.

6. Advocate for respondent submitted after filing of restitution of conjugal rights petition, both wife and husband agreed for settlement. But, parents and brother of petitioner herein are interfering and not allowed for any compromise and requested to refer the matter to Lok Adalat.

7. I have perused the material papers. According to affidavit of petitioner, she was carrying 8th month pregnancy. As seen from the record, this was stated in October 2013, therefore, by this time she must have delivered a child. With regard to referring the matter to Lok Adalat, this request can be made before the Court concerned in the main case itself. Therefore, considering the convenience of wife and for the reasons stated in the affidavit, O.P.No.1197 of 2013 is withdrawn from Additional Family Court, City Civil Court, Hyderabad and transferred to Family Court, Guntur, for disposal in accordance with law. Respondent herein is at liberty to request the Family Court, Guntur, for referring the matter to Lok Adalat.

8. Accordingly, transfer C.M.P. is ordered. No costs.

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

S. RAVI KUMAR, J

19th March 2015.

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