

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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CIVIL REVISION PETITION Nos.2719 & 2729 of 2015

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COMMON ORDER:

Heard the learned counsel for petitioner and the learned counsel for respondent. In view of the nature of relief sought in both the Civil Revision Petitions, they are being disposed of by this common order.

2. The petitioner in both the Civil Revision Petitions is the husband. The respondent-wife filed O.P.No.486 of 2014 on the file of the Court of the Judge, Family Court, Ranga Reddy District at L.B.Nagar (for short, trial Court) for grant of decree of divorce to her by dissolving the marriage performed with the petitioner on 12.12.2010. The said OP was allowed, by an *ex parte* order of the trial Court, dated 05.09.2014. The petitioner filed three applications i.e., I.A.No.196 of 2015 for setting aside the *ex parte* order, I.A.No.1398 of 2014 seeking permission to represent his case by his Special Power of Attorney holder and I.A.No.1594 of 2014 seeking permission to engage an Advocate to defend his case. The trial Court, by separate orders dated 01.04.2015, dismissed all the three applications. Challenging the same, the petitioner filed CRP.Nos.2729, 2719 and 2718 of 2015 respectively.

3. So far as CRP.No.2718 of 2015 which arises out of the order in I.A.No.1594 of 2014 is concerned, it was allowed by this Court by order dated 14.08.2015. So far as CRP.No.2719 of 2015 which arises out of the order in I.A.No.1398 of 2014 is concerned, the learned counsel for the respondent did not raise any objection for the petitioner to represent his case by his Special Power of Attorney Holder, P.Rajendranath. In view of the same, CRP.No.2719 of 2015 is allowed as unopposed.

4. The trial Court dismissed the application in I.A.No.196 of 2015 without assigning proper reasons merely stating that the application is filed against the provisions of the Family Court. The learned counsel for the respondent fairly submitted that reasons have to be assigned by the trial Court.

5. In that view of the matter, the impugned order in I.A.No.196 of 2015 is set aside and is remitted to the trial Court for passing appropriate orders, after hearing the learned counsel for the parties, in accordance with law within a period of one month from the date of receipt of a copy of this order.

6. Accordingly, Civil Revision Petition Nos.2719 and 2729 of 2015 are allowed and I.A.No.196 of 2015 is remanded to the trial Court for disposal in accordance with law. No order as to costs. Miscellaneous Petitions, if any pending in both the Civil Revision Petitions, shall stand closed.

A.RAMALINGESWARA RAO, J

Date: 20.11.2015

TJMR