

HONOURABLE SRI JUSTICE S.RAVI KUMAR

Tr.CMP.No.337 of 2014

ORDER:

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This petition is filed to withdraw H.M.O.P.No.43 of 2013 from the file of Senior Civil Judge, Bhongiri and transfer the same to Family Court, Hyderabad.

Wife filed this application and according to her affidavit her marriage was performed on 05.11.2008 at Yadagirigutta and she joined the marital home at Bhongiri and the respondent/husband started harassing her, having no other alternate way, she went to her parents house and staying with them. She stated that she lodged a complaint to police and a criminal case is pending at IX Additional Chief Metropolitan Magistrate, Nampally, Hyderabad. She also stated that she filed D.V.C. and the same is pending at IV Metropolitan Magistrate, Hyderabad, and respondent is attending for both the cases. She stated that she is taking shelter at her parents' house at Hyderabad, she has no source of income and depending on her parents and it is difficult for her to travel from Hyderabad to Bhongiri for defending O.P. filed by husband. For these reasons she prayed for transfer of H.M.O.P.No.43 of 2013 from Senior Civil Judge, Bhongiri to Family Court, Hyderabad.

Respondent inspite of taking time for filing counter

did not file any counter and the affidavit averments of the petitioner remained unchallenged.

Heard arguments.

Advocate for petitioner submitted that the petitioner has no income and she is depending on her parents and staying at her parents' house in Hyderabad and it is difficult for her to travel from Hyderabad to Bhongiri. It is submitted that D.V.C. is recently disposed of and Section 498-A IPC case is still pending and respondent is attending and defending that case. It is submitted that no prejudice will be caused if the O.P. is also brought to Hyderabad, as the respondent is already attending Hyderabad Court in connection with 498-A case.

I have perused the material papers filed along with the transfer C.M.P.

Considering the reasons stated in the affidavit and also the inconvenience of the wife, H.M.O.P.No.43 of 2013 is withdrawn from Senior Civil Judge, Bhongiri, Nalgonda District and transferred to Family Court, Hyderabad, for disposal in accordance with law.

Transfer Petition is ordered accordingly. Miscellaneous petitions, if any, pending in this petition, shall stand closed.

JUSTICE S.RAVI KUMAR

Dt.12th March, 2015

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