

HON'BLE SRI JUSTICE S. RAVI KUMAR

Tr.CIVIL MISCELLANEOUS PETITION No.20 of 2014

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ORDER:

This petition is filed to withdraw O.P.No.135 of 2013 from the file of Family Court, Warangal and transfer the same to Family Court, City Civil Court, Hyderabad.

2. Petitioner herein is wife and she filed her affidavit in support of the petition. According to her affidavit, she is residing at Tukaram Gate, Secunderabad and respondent/husband filed O.P.No.135 of 2013 before Family Court, Warangal for divorce. She further stated that her father is a retired employee and he is not keeping good health and she has to look after her father and that she has no assistance to go to Warangal for defending O.P.No.135 of 2013. She further stated that she filed a complaint against respondent/husband and the same is registered as Crime No.124 of 2013 with Begumpet Women Police Station and husband is attending in that case, therefore she sought transfer of O.P.No.135 of 2013 from Warangal to Hyderabad.

3. Respondent/husband filed counter-affidavit disputing the affidavit averments of petitioner and contended that father of petitioner after retirement is re-employed and he is hale and healthy and the allegation that she has to look after her father is incorrect. He further contended that he is ready to pay the travel charges from Hyderabad to Warangal, therefore the contention that petitioner cannot meet the travel expenses has to be negated. He further contended that respondent has life threat in

the hands of petitioner and her relatives.

4. Heard arguments.

5. I have perused the material papers filed along with this transfer O.P. and also counter-affidavit filed on behalf of respondent/husband. As seen from the affidavits of both parties, both of them attributing life threat in the hands of other party. Admittedly, there are no other family matters pending before Family Court, Hyderabad to be tried along with the family O.P. filed by respondent/husband.

6. Now, the only difficulty expressed by petitioner/wife that she has no assistance to escort her from Hyderabad to Warangal and for that reason she sought transfer of O.P filed by respondent from Warangal to Hyderabad.

7. Considering the contentions and rival contentions of both parties, I feel that petition can be disposed of by directing the trial Court to decide the matter, as expeditiously as possible, preferably, within a fixed time by dispensing with the presence of petitioner/wife herein for each and every adjournment.

8. Accordingly, this Transfer Miscellaneous Petition is dismissed directing the Family Court, Warangal to dispose of O.P.No.135 of 2013 within a period of six (06) months from the date of receipt of this order by dispensing with the presence of petitioner herein for each and every adjournment. However, petitioner shall appear as and when the Court below feels that her physical presence is necessary for any specific purpose. No costs.

Miscellaneous Petitions, if any pending, in this petition, shall

stand closed.

Date: 16-02-2015
gvl

S. RAVI KUMAR, J