

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

Tr.CMP.No.688 OF 2015

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ORDER :

This transfer petition is filed to transfer OP No.157 of 2015 for restitution of conjugal rights on the file of Family Court, Hyderabad to the Additional Family Court, Hyderabad to be tried along with O.P.No.902 of 2015 filed by the petitioner/wife for custody of child on the file of the Judge, Family Court, City Civil Court, Hyderabad and OP No.356 of 2015 filed by the petitioner/wife for divorce on the file of Addl. Family Court, City Civil Court, Hyderabad.

It is the case of the petitioner that the respondent filed O.P.No.157 of 2015 for restitution of conjugal rights before the Family Court, Hyderabad, which is at trial stage and O.P.No.902 of 2015 for custody of child before the Additional Family Court, Hyderabad. Now, the petitioner has filed O.P.No.356 on the file of Addl.Family Court, Hyderabad seeking divorce against the respondent. That in order to avoid conflicting judgments, O.P.No.157 of 2015, pending on the file of Family Court, Hyderabad, is to be transferred to the Addl. Family Court, Hyderabad to be tried along with O.P.Nos.356 of 2015 and 902 of 2015 pending on the file of the Addl.Family Court, Hyderabad.

Though notice is ordered and served on the respondent, there is no appearance and no counter affidavit is filed by the respondent opposing the petition.

Heard learned counsel for the petitioner.

Since the averments made in the affidavit are not rebutted and there is no opposition from the respondent and in view of the facts and circumstances referred above, I am of the opinion that OP No.157 of 2015 filed by the respondent for restitution of conjugal rights before the

Family Court, Hyderabad, is liable to be transferred to the Court of Addl. Family Court, Hyderabad to be tried along with O.P.Nos.356 of 2015 and 902 of 2015.

Accordingly, the Tr.CMP is allowed. No costs. As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY, J

31.12.2015

kvs

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

Tr.CMP.No.688 OF 2015

Date: 31.12.2015

kvs