

THE HON'BLE SRI JUSTICE DILIP B.BHOSALE

CIVIL REVISION PETITION No.230 of 2015

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P.C.:

This Civil Revision Petition is filed by the wife of respondent No.1. He had filed a suit for cancellation of gift deed executed by her husband in favour of respondent Nos.2 to 4. The suit was filed before the

I Additional Chief Judge, City Civil Court, Secunderabad. The learned

I Additional Chief Judge, however, returned the plaint to present it before the Family Court. Petitioner accordingly collected the plaint and presented it before the Family Court. While filing the suit before the learned I Additional Chief Judge, the petitioner had deposited the Court fee of Rs.21,312/- in cash to the account of the Court. In view thereof, she filed a memo dated 31.12.2014 requesting the learned I Additional Chief Judge, City Civil Court, Secunderabad, to transfer the Court fee to the Family Court. On that memo, the following order was passed:

“O.S.S.R.No.15053/2014, dated 31.12.2014.

To refer provision of law and procedural rules under which C.F. has to be transferred from one court to another court on return of AC plaint.”

Against this order, the petitioner – wife has filed the instant Civil Revision Petition.

Having considered overall facts and circumstances of the case and considering that the petitioner – wife is fighting for her right in the property and in the interest of justice, the I Additional Chief Judge, City Civil Court, Secunderabad, is directed to pass order transferring the Court fee deposited by the petitioner to the Family Court, where the petitioner has presented her suit after return of the

plaint, within a period of four (4) weeks from today.

The petitioner is directed to communicate this order to the concerned Judge within ten (10) days from today.

With these observations, the Civil Revision Petition is disposed of.

Consequently, miscellaneous petitions, if any, also stand disposed of.

DILIP B.BHOSALE,J

Dt:13.03.2015

Note:
Furnish C.C. by 16.03.2015.
(B/o)
GJ