

THE HON'BLE SRI JUSTICE T. SUNIL CHOWDARY
Tr.CMP No.123 of 2015

ORDER:

1 This petition is filed under Section 24 of CPC seeking to withdraw O.P.No.675 of 2013 pending on the file of the Family Court, City Civil Court, Hyderabad and transfer the same to the Family Court, Ranga Reddy District at L.B.Nagar.

2 Heard the learned counsel for both sides and perused the material available on record.

3 The marriage of the petitioner was performed with the respondent on 13.02.2011 at Kothapet, Hyderabad as per Hindu rites and caste custom. Immediately after the marriage, the petitioner joined the respondent to lead happy marital life. For obvious reasons disputes arose between the petitioner and the respondent. Basing on the complaint lodged by the petitioner, the Station House Officer, Women Police Station, Cyberabad registered a case in Cr.No.123 of 2012 against the respondent for the offences punishable under Section 498-A and 506 of IPC and Sections 3 and 4 of Dowry Prohibition Act. The respondent filed O.P.No.675 of 2013 on the file of the Family Court, City Civil Court, Hyderabad for restitution of conjugal rights. On the other hand, the petitioner filed O.P.No.498 of 2014 on the file of the Family Court, Ranga Reddy District at L.B.Nagar for dissolution of the marriage between her and the respondent.

4 The petitioner has been residing at her parents'

house due to misunderstandings between her and the respondent. Both parties have filed O.Ps. The relief sought for in O.P.No.498 of 2014 is wider than the relief sought for in O.P.No.675 of 2013.

5 The learned counsel for the petitioner submitted that trial is yet to be commenced in both the O.Ps. There is every possibility of conflicting of judgments if both the O.Ps. are disposed of by two different Courts. In that view of the matter, I am of the considered view that the petitioner deserves the relief sought for.

6 In the result, the petition is allowed and the O.P.No.675 of 2013 pending on the file of the Family Court, City Civil Court, Hyderabad is withdrawn from the file of that Court and transferred to the Family Court, Ranga Reddy District at L.B.Nagar for trial and disposal in accordance with law. Consequently, miscellaneous petitions, if any, pending in this Tr.CMP shall stand closed.

T. SUNIL CHOWDARY, J

Date: 28.08.2015
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