

THE HONOURABLE SRI JUSTICE S. RAVI KUMAR

TR.CMP NO.302 OF 2014

ORDER

This petition is filed to withdraw the O.P.No.41 of 2013 from the file of Family Court, Hyderabad and transfer the same to Family Court, Visakhapatnam.

Petitioner is wife and according to her affidavit, her marriage took place in the year 2005 at Visakhapatnam and after the marriage, they lived happily for about six years, thereafter disputes arose between them and now she is staying at her parents house in Visakhapatnam from May, 2012. According to her affidavit, she filed DVC at Visakhapatnam and husband filed restitution of conjugal rights petition in Hyderabad. She contended that it is difficult for her to come all the way from Visakhapatnam to Hyderabad to defend the O.P. filed by husband and that she has no male assistance. For these reasons, she prayed for transfer of O.P. from Hyderabad to Visakhapatnam.

Respondent-husband disputed the affidavit averments of the wife and according to him after filing of restitution of conjugal rights, wife filed DVC only to harass him and that there are no grounds for transfer of the O.P. from Hyderabad to Visakhapatnam.

Heard both sides.

Admittedly husband is appearing in DVC case at Visakhapatnam filed by wife. The main ground urged by the wife for transfer is her inconvenience and that she has no male assistance to escort her from Visakhapatnam to Hyderabad. Now

without going into the correctness of allegations of both parties, I feel that OP filed by husband can be transferred to Visakhapatnam with a direction to the family Court, Visakhapatnam to dispose of the same within stipulated time by dispensing with the presence of husband for each and every adjournment.

For these reasons family Court O.P.No.41 of 2013 is withdrawn from Family Court, Hyderabad and transferred to Family Court, Visakhapatnam directing the Family Court, Visakhapatnam to dispose of the same within six months from the date of receipt of records by dispensing with the presence of husband for each and every adjournment. However, he shall appear as and when his physical presence is required for any specific purpose.

This petition is allowed accordingly. No costs. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand dismissed.

S. RAVI KUMAR, J

02-02-2015

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