

THE HON'BLE SRI JUSTICE S. RAVI KUMAR

Tr.CMP.No.331 of 2016

Date:09.08.2016

Between:

Smt. Shaik Shameem Zareen

... Petitioner.

AND

Shaik Amjaad Shareef

...Respondent.

The Court made the following:

THE HON'BLE SRI JUSTICE S. RAVI KUMAR

Tr.CMP.No.331 of 2016

ORDER:

This application is filed to withdraw O.P.No.662/2015 from Family Court, Vijayawada and transfer the same to Family Court, Khammam or Principal Senior Civil Judge, Kothagudem, Khammam District.

2. Wife filed this application and according to her affidavit, her marriage with respondent was performed on 18-06-2006 at Kothagudem, Khammam District, thereafter, due to disputes, she is living separately. She stated that respondent filed the above O.P., before the Family Court, Vijayawada and that she is resident of Kothagudem, Khammam District and distance between Kothagudem and Vijayawada is 200 Kms. She stated that she is unemployed and has no means to meet the expenses. She further stated that she has threat at Vijayawada and that she already filed D.V.C.No.1/2016 before II Additional Judicial Magistrate of First Class, Kothagudem, Khammam District and respondent is attending for that case.

She further stated that she also filed maintenance case on the file of same Court and as there is a Family Court at Khammam, she prayed for transfer of O.P., either to Family Court, Khammam or the Court at Kothagudem.

3. Respondent did not file any counter disputing the affidavit averments.

4. Heard arguments.

5. Advocate for respondent submitted that O.P.No.662/2015 is posted for orders and because of the stay granted by this Court, no orders are pronounced. In reply to that, Advocate for petitioner submitted that the

petitioner herein not even filed a counter and the Court below without granting time, posted the matter for orders and no evidence is adduced in the case and prayed for transfer of O.P.

6. Considering the submissions of both sides and considering the reasons stated in the affidavit and also considering the convenience of wife, O.P.No.662/2015 is withdrawn from Family Court, Vijayawada and transferred to Family Court, Khammam for disposal in accordance with law. Family Court, Khammam shall decide the matter, after giving opportunity to both parties in accordance with law, within four months from the date of receipt of record.

7. Petition is ordered accordingly and as a sequel, miscellaneous petitions, if any, pending in this Tr.CMP., shall stand disposed of.

No costs.

JUSTICE S. RAVI KUMAR

Date:09.08.2016

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