

HONOURABLE SRI JUSTICE S.RAVI KUMAR

TRANSFER C.M.P.No.663 OF 2015

Dated 8-3-2016

Between:

Vasa Jeevita Vijaya Sri.

..Petitioner.

And:

Vasa Bharat Kumar.

..Respondent.

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ORDER:

This application is filed to withdraw O.P.No.70 of 2015 from the file of Senior Civil Judge, Peddapuram and transfer the same to Family Court, Visakhapatnam.

Wife filed this application and according to her affidavit, her marriage was performed on 30-10-2013 at Sri Veera Venkata Satyanarayana Swami vari Devasthanam, Annavaram, East Godavari District as per Hindu Rites and Caste custom. She stated that due to harassment, she constrained to move to her parents' house and as respondent failed to provide proper food, clothes and shelter, she filed Family O.P.No.714 of 2015 before Family Court, Visakhapatnam seeking monthly maintenance of Rs.15,000/- per month and that the respondent filed O.P.No.70 of 2015 before Senior Civil Judge, Peddapuram for dissolution of marriage. She stated that she is now residing at Visakhapatnam and it is difficult for her to travel from Visakhapatnam to Peddapuram and by considering her convenience, she requested that O.P. may be transferred from Peddapuram to Visakhapatnam.

Respondent, in spite of granting sufficient time, did

not file counter.

Advocate for respondent represented that they have prepared a draft counter and sent to the respondent but they have not received. On 15-2-2016, at the request of respondent counsel, time is granted till 22-2-2016. Again on 22-2-2016, time was sought and the same is granted by two weeks for filing counter by recording that no further adjournment will be granted. In spite of that, no interest is evinced in filing counter.

Advocate for petitioner submitted that respondent after receipt of notice in Family Court O.P.No.714 of 2015, intentionally filed O.P before Senior Civil Judge, Peddapuram in order to harass the petitioner.

Perused the material papers including the affidavit of the petitioner.

Considering the reasons stated in the affidavit and also considering the fact that O.P. filed by wife is already pending before Family Court, Visakhapatnam and as both cases have to be tried by one court and taking convenience of wife into consideration, O.P. pending before Senior Civil Judge, Peddapuram is withdrawn and transferred to Family Court, Visakhapatnam for disposal in accordance with law.

This petition is ordered accordingly.

As a sequel to the disposal of this petition, the Miscellaneous Petitions, if any, pending, shall stand dismissed.

JUSTICE

S.RAVI KUMAR

Dated 8-3-2016.

Dvs.

HONOURABLE SRI JUSTICE S.RAVI KUMAR

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