

THE HONOURABLE SRI JUSTICE RAJA ELANGO
TRANSFER CRIMINAL PETITION No.120 OF 2016

ORDER:

This Transfer Criminal Petition is filed by the petitioner seeking to transfer M.C.No.46 of 2014 pending on the file of the Principal Junior Civil Judge, Bhimavaram, West Godavari District to the Principal Junior Civil Judge, Rajahmundry, East Godavari District.

Heard and perused the material available on record.

It is the case of the petitioner that he met with an accident on 7.1.2016 at Rajahmundry and he underwent surgery and therefore, it is very difficult for him to attend before the Principal Junior Civil Judge, Bhimavaram on every date of hearing.

In a case of this nature i.e., in maintenance case, the presence of the petitioner is not at all required on every date of hearing except on the date on which he wants to examine himself as a witness and also on the date of his cross-examination. In the circumstances, this Court is not inclined to transfer the above case. However, the presence of the petitioner before the trial Court is dispensed with except on the dates when his presence is specifically required by the trial Court.

Accordingly, the Transfer Criminal Petition is disposed of. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Date : 21.4.2016

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DATED 21.4.2016

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