

HON'BLE SRI JUSTICE S. RAVI KUMAR

Tr.CIVIL MISCELLANEOUS PETITION No.817 of 2015

ORDER:

This petition is filed to withdraw F.C.O.P.No.85 of 2014 from the file of Family Court, Nizamabad and transfer the same to Family Court, Karimnagar.

2. Wife filed this petition. According to her affidavit, she filed DVC No.71 of 2015 and the same is pending before Judicial First Class Magistrate's Court, Karimnagar and charge sheet was also filed on the complaint given by her for the offence under Section 498-A IPC and the said case is also pending before Judicial First Class Magistrate, Karimnagar and it is difficult for her to travel from Karimnagar to Nizamabad which is nearly 5 hours journey and she sought transfer of O.P. from Nizamabad to Karimnagar.

3. Respondent filed counter disputing the affidavit averments of petitioner. The main contention raised in the counter is that matter is already settled and an agreement is also executed but only to extract more money, present proceedings are initiated.

4. Heard arguments.

5. The objection raised by respondent with regard to settlement of the matter and execution of agreement is a matter to be decided in the main case but not in the transfer O.P.

6. Considering the submissions of both sides and without prejudice to the contentions and rival contentions of both parties, F.C.O.P.No.85 of 2014 is withdrawn from the file of Family Court, Nizamabad and transferred to Family Court, Karimnagar for

disposal in accordance with law. Family Court, Karimnagar shall dispose of FCOP No.85 of 2014, as expeditiously as possible, preferably within six (06) months from the date of receipt of the records.

7. Accordingly, the Transfer Miscellaneous Petition is ordered. No costs. As a sequel, miscellaneous petitions, if any filed in this civil miscellaneous petition, shall stand closed.

S. RAVI KUMAR, J

Date: 19-02-2016

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