

HON'BLE SRI JUSTICE S. RAVI KUMAR

TRANSFER C.M.P.No.749 of 2015

ORDER :

This petition is filed to withdraw OP No.1524 of 2015 from the file of II Additional District Judge-cum-Family Court, Ranga Reddy District at L.B. nagar and transfer the same to Senior Civil Judge, Huzurabad for disposal in accordance with law.

2. Wife filed this petition. According to her affidavit, her marriage with respondent was performed on 18.08.2006 at GMR Gardens, Karimnagar Road, Hanamkonda, Warangal District and due to disputes she is now living at Huzurabad and that she lodged a complaint with Women Police Station at Karimnagar on 14.06.2015, which is registered as Crime No.82 of 2015 under Section 498-A IPC and Section 4 of Dowry Prohibition Act and she filed DVC No.6 of 2015 and same is pending before Additional Judicial First Class Magistrate, Huzurabad and respondent is attending for these two cases. She stated that she is living with her parents at Huzurabad and purely depending on her parents and it is difficult for her to travel from Huzurabad to Ranga Reddy with a school going child for every adjournment. For these reasons, she prayed for transfer of OP from Ranga Reddy to Huzurabad.

3. Respondent filed counter-affidavit disputing the affidavit averments of wife and contended that he is working in a private company and it is difficult for him to get frequent leaves to attend the Court cases for each and every adjournment and this transfer petition is filed only to harass him and there are no bonafides.

4. Considering the contentions and rival contentions of both parties and without prejudice to the rights of both parties by taking the convenience of wife into consideration and the fact that respondent is already attending Huzuarabad Court in connection of two cases, O.P. pending on the file of Family court, Ranga Reddy i.e., O.P.No.1524 of 2015

is withdrawn from its file and transferred to Senior Civil Judge, Huzurabad for disposal in accordance with law. Senior Civil Judge, Huzurabad shall dispense with the presence of husband i.e., respondent herein for each and every adjournment. However, respondent herein shall appear as and when his physical presence is felt necessary before Senior Civil Judge, Huzurabad for any specific purpose.

5. 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: 29.02.2016.
gvl