

HON'BLE SRI JUSTICE S. RAVI KUMAR

TRANSFER C.M.P.No.692 of 2015

ORDER:

This petition is filed to transfer O.P.No.89 of 2015 from the file of Family Court, Karimnagar, to Family Court, Hyderabad to try along with O.P.No.463 of 2015.

2. Husband filed this petition. According to his affidavit, the marriage took place on 09.12.2012 at Hyderabad and he filed O.P.No.463 of 2015 seeking divorce on the ground of cruelty before Family Court, Hyderabad and she filed transfer C.M.P.No.647 of 2014 before this Court to transfer that O.P. from Hyderabad to Family Court, Karimnagar and that application was dismissed on 16.04.2015. Thereafter, the respondent herein filed O.P.No.89 of 2015 as a counter blast before Family Court, Karimnagar and also Domestic Violence Case vide D.V.C.No.96 of 2015 before the Judicial 1st Class Magistrate and M.C.No.22 of 2015 before the Family Court, Karimnagar. It is stated that as issues involved in O.P.No.463 of 2015 and O.P.No.89 of 2015 are one and the same, both cases have to be tried by one court. Therefore, O.P.No.89 of 2015 has to be withdrawn from Family Court, Karimnagar.

3. Advocate for the petitioner represented that money order was sent to the respondent as per the orders of this Court and as petitioner did not receive any postal acknowledgment, he made a complaint to the postal authorities for which he received a reply stating that an amount of Rs.5,000/- was paid to the respondent on 20.01.2016 at Karimnagar, Head Post Office. Notice sent to the respondent through Court is duly served on the respondent. In spite of that, respondent neither appeared in person nor through

any advocate.

4. Heard arguments.

5. Considering the reasons stated in the affidavit filed in support of petition and also considering the fact that both O.P's one filed by husband and other filed by wife have to be tried in one court, O.P.No.89 of 2015 is withdrawn from Family Court Karimnagar and transferred to Family Court, Hyderabad to be tried along with O.P.No.463 of 2015, for disposal in accordance with law.

6. Accordingly, transfer C.M.P. is ordered.

7. Miscellaneous petitions pending, if any, shall stand closed.

S. RAVI KUMAR, J

12th August 2016.

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