

HON'BLE SRI JUSTICE S. RAVI KUMAR

Tr.CIVIL MISCELLANEOUS PETITION No.559 of 2015

ORDER:

This petition is filed to withdraw O.P.No.467 of 2015 from Family Court, City Civil Court, Secunderabad and transfer the same to Family Court, Ranga Reddy at L.B.Nagar.

2. Wife filed this application. According to her affidavit, her marriage with respondent was performed on 31.07.2009 as per Christian Tradition at Lutheran Church, Lakdikapool, Hyderabad. According to her, she was necked out from the marital house on 16.06.2013, since then she is staying in her grandparent's house at Vanasthalipuram. She stated that she filed M.C.No.232 of 2013 before Family Court, Ranga Reddy at L.B. Nagar and the same is pending. She further stated that she lodged complaint under Section 498-A IPC and Sections 3 and 4 of Dowry Prohibition Act and the same is pending as C.C.No.87 of 2014 before XIV Metropolitan Magistrate, Cyberabad, Ranga Reddy at L.B.Nagar. She further stated that respondent herein filed O.P.No.467 of 2015 before Family Court, Secunderabad and the same has to be transferred to Family Court, Ranga Reddy as it is difficult for her to go to Family Court, Secunderabad from Vanasthalipuram for defending O.P.No.467 of 2015.

3. Respondent has not filed any counter.

4. Heard both sides.

5. Advocate for petitioner submits that the allegations and counter allegations in the O.P. filed by husband and in the maintenance case filed by wife are one and the same, therefore, both cases have to be decided by one Court to avoid conflicting decision.

6. Advocate for respondent submitted that respondent has no

objection, but a direction may be given to Family Court, Ranga Reddy for speedy disposal of the cases by dispensing with presence of husband for each and every adjournment in this O.P.

7. Considering the contentions of both parties and submissions of both sides, O.P.No.467 of 2015 is withdrawn from Family Court, City Civil Court, Secunderabad and transferred to Family Court Ranga Reddy for disposal in accordance with law. Family Court, Ranga Reddy shall decide O.P. i.e. transferred from Family Court, Secunderabad as expeditiously as possible by dispensing with the presence of the husband for each and every adjournment in that O.P. However, respondent/husband shall appear as and when the Court feels that his physical presence is necessary.

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

S. RAVI KUMAR, J

Date: 14-03-2016
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