

HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

Tr.C.M.P.No.661 of 2016

ORDER:

This is a husband's application under Section 24 of the Code of Civil Procedure, 1908, requesting to withdraw F.C.O.P. No.904 of 2016 on the file of Additional Family Court, City Civil Court, Hyderabad, and transfer the same to the Court of the learned Additional Metropolitan Sessions Judge for the trial of Jubilee Hills Car Bomb Blast Case-cum-Additional Family Judge, City Criminal Courts, Nampally, Hyderabad, where M.C.No.334 of 2013 filed by the respondent/wife, is pending.

I have heard the submissions of Sri A.Ravi Shankar, learned counsel for petitioner/husband and perused the material record. Though respondent is served with notice, none appeared and she had remained *ex parte*.

The case of the petitioner/husband is this: "The wife's maintenance case is pending on the file of Additional Family Court, City Criminal Courts, Nampally, Hyderabad; whereas, the present OP filed by him for dissolution of marriage and grant of divorce is filed before the Additional Family Court, City Civil Court, Hyderabad; considering the issues involved in the two cases filed by the wife in the Court at Nampally and the case filed by the husband in the City Civil Court, it is in the interests of both the parties that the two cases should be tried and disposed of by a single Forum; hence, the present transfer petition is filed keeping in view the interests and conveniences of both the parties."

Having regard to the merit of the submissions made and as the wife has not entered appearance and remained *ex parte*, this Court is satisfied that sufficient case is made out for granting the relief as prayed for.

Accordingly, the Tr.C.M.P. is allowed and F.C.O.P. No.904 of 2016 is withdrawn from the file of Additional Family Court, City Civil Court, Hyderabad, and is transferred to the Court of the learned Additional Metropolitan Sessions Judge for the trial of Jubilee Hills Car Bomb Blast Case-cum-Additional Family Judge, City Criminal Courts, Nampally, Hyderabad, for trial and disposal either jointly or simultaneously along with M.C.No.334 of 2013, in strict accordance with the procedure established by law. No costs.

Pending miscellaneous applications, if any, shall stand closed.

M. SEETHARAMA MURTI, J

1st December 2016

ajr

