

HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

TRANSFER CIVIL MISCELLANEOUS PETITION NO.843 OF 2016

ORDER:

This Transfer Civil Miscellaneous Petition, under Section 24 of Code of Civil Procedure, 1908, is filed by the petitioner-wife requesting to withdraw O.P.No.1404 of 2016 on the file of the Family Court, City Civil Court, Hyderabad, and transfer the same to the Court of the learned Senior Civil Judge, Gadwal, for trial and disposal in accordance with the procedure established by law.

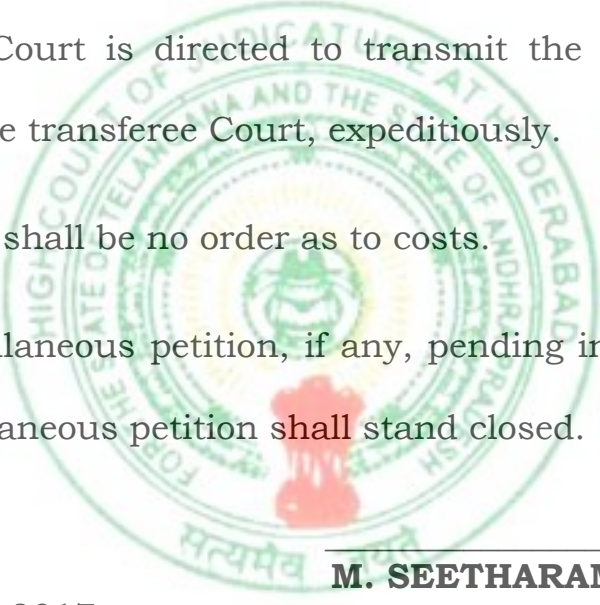
2. Heard learned counsel for the petitioner and the learned counsel for the respondent. Perused material record.
3. The wife filed the present petition seeking transfer of the aforementioned case on the grounds of inconvenience, lack of assistance & financial weakness to undertake travel from her place of residence to Hyderabad and inability & incapacity to attend the case filed by the respondent in the Family Court, City Civil Court, Hyderabad, which is away from her place of residence. She further submits that she is having a minor child in her custody and, therefore, it would be in the interest of justice to grant the relief.
4. The respondent having entered appearance is not resisting the application.

5. Having regard to the facts and submissions, this Court is satisfied that it is a fit case to grant the relief.

6. In the result, the Transfer Civil Miscellaneous Petition is allowed and O.P.No.1404 of 2016 pending on the file of the Family Court, City Civil Court, Hyderabad, is withdrawn and is transferred to the file of the Court of the learned Senior Civil Judge, Gadwal, for trial and disposal, in accordance with the procedure established by law. The transferor Court is directed to transmit the duly indexed record to the transferee Court, expeditiously.

There shall be no order as to costs.

Miscellaneous petition, if any, pending in the transfer civil miscellaneous petition shall stand closed.



M. SEETHARAMA MURTI, J

Date: 05.09.2017
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