

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

TRCMP NO. 423 OF 2017

ORDER:

This revision petition is filed under Section 24 of CPC to withdraw HMOP No.14 of 2017 pending on the file of the Senior Civil Judge, Wanaparthi and to transfer the same to the competent jurisdictional Court in Ranga Reddy at LB. Nagar contending that the petitioner is native of Ranga Reddy District suffering from ill-health, being a lady, there is an apprehension of danger to her life in the hands of her husband and his family members, that her marriage with the second respondent took place at Nagarkurnool and they lead happy marital life for some time, but they could not beget children and therefore her husband and family members harassed her physically and mentally and also demanded for additional dowry. She further stated that her husband published notice to public that she was missing since 07.10.2016 onwards by mentioning in publication that she is not mentally fit. She stated that her husband filed divorce petition in HMOP No.14 of 2017 on the file of the Senior Civil Judge, Wanaparthi to harass her and planning to attack her as and when she appear before the Court at Wanaparthi.

She further stated that she has no means to undertake journey and appear before the court at Wanaparthi and therefore expressed her inability to attend the court at Wanaparthi. The petitioner is allegedly residing at Karmanghat, Saroomagar, Hyderabad with her parents which is in the jurisdiction of Ranga Reddy court, after she was driven out from the house by the respondent. It is difficult task for a lady to perform journey on every date of adjournment. It is stated that it is not possible for her to attend the court on each and every date of adjournment. As discussed above, her presence is not required on all dates of adjournment. Further more, in the recent judgment, the Apex Court gave

directions to print on the reverse of the summons about the availability of video conference directing to deposit the expenses for travelling, lodging and boarding in terms of Order XXV CPC. Therefore, if really she is suffering from lack of means to undertake journey, the respondent shall be directed to deposit travelling, lodging and boarding expenses in terms of Order XXV CPC when her appearance is required before the Judge, at Wanaparthi or otherwise her cross-examination can be recorded by video conference. Therefore, none of the grounds urged in the petition are not sufficient to withdraw and transfer the petition. However, the learned Senior Civil Judge, Wanaparthi is requested not to insist her presence on every date of adjournment, except, on the date of her cross-examination, or for any other specific purpose and this direction does not preclude the learned Judge to pass appropriate orders in accordance with law in the event of her counsel's failure to represent and prosecute the proceedings.

With the above direction, the case is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in the revision petition shall stand closed.

JUSTICE M. SATYANARAYANA MURTHY

Date: 06.07.2017
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