

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

TRCMP NO. 457 OF 2017

ORDER:

This transfer petition is filed under Section 24 of CPC to withdraw OP No.897 of 2017 pending on the file of the Judge, Family Court, Ranga Reddy District at LB Nagar on the ground that the petitioner is working as Assistant Training Officer at Bodhan, Nizamabad District and being a lady cannot perform journey covering distance of more than 100 kms. Therefore, it is difficult for her to appear before the Court at Ranga Reddy and requested to withdraw and transfer the O.P.No.897 of 2017 to the Court of Family Judge, at Nizamabad.

Admittedly, the petitioner is working as Assistant Training Officer at Bodhan, Nizamabad District and it is difficult for her to appear before the court on every date of adjournment. Therefore, difficulty for her appearance on every date of hearing performing journey from Bodhan to Ranga Reddy is not a ground as her presence can be dispensed with by Court, however, at best she is required to appear before the court on the date when her cross examination is required to be recorded or on any day when her appearance is required by the Court for any specific purpose. Therefore, distance is not a ground to withdraw and transfer the petition. Even otherwise, she can ask for appointment of advocate commissioner for recording her cross examination even without appearing before the court.

In view of the difficulty expressed by the petitioner, the Judge, Family Court, Ranga Reddy District at LB Nagar is requested not to insist her appearance on every date of adjournment except on the day when her cross examination is required to be recorded or for any other specific purpose as directed by the Court, as long as her counsel is representing

her and prosecuting the case on her behalf. However, this direction would not preclude the Judge, Family Court, Ranga Reddy District at LB Nagar from passing any order in accordance with law in case petitioner's counsel did not represent and prosecute the case on her behalf.

With the above direction, the Tr.CMP 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:19.07.2017
ccm



THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY



TRCMP NO. 457 OF 2017

Date:19.07.2017

ccm