

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

Tr.C.M.P. No.91 of 2017

ORDER:

This petition is filed under Section 24 of C.P.C. seeking to withdraw O.P.No.29 of 2016 from the file of the Court of the Senior Civil Judge at Bodhan and transfer the same to the file of the Family Court at Vijayawada.

2. At the time of arguments, the learned counsel for both parties, with one voice, submitted that O.P.No.29 of 2016 may be transferred to the file of the Family Court at Vijayawada.

3. In view of the submission made by the learned counsel for both parties, this Court is not inclined to go into the merits of the main case.

4. Learned counsel for the respondent submitted that the presence of the respondent may be dispensed with before the Family Court at Vijayawada on each and every date of adjournment, in view of distance between Bodhan and Vijayawada.

5. Having regard to the facts and circumstances of the case and also the submission made by the learned counsel for both parties, the Transfer Civil Miscellaneous Petition is allowed. O.P.No.29 of 2016 is withdrawn from the file of the Court of the Senior Civil Judge at Bodhan and transferred to the file of the Family Court at Vijayawada, for disposal in accordance with law. The presence of the respondent (husband) in respect of O.P.No.29 of 2016 is hereby dispensed with on each and every date of adjournment before the Family Court at Vijayawada. However, he shall appear before the

said Court as and when his presence is so required. There shall be no order as to costs.

6. Consequently, Miscellaneous Petitions, if any, pending in this Transfer Civil Miscellaneous Petition, shall stand closed.

T.SUNIL CHOWDARY, J

Date: 04.04.2017
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