

HON'BLE SRI JUSTICE Dr. B. SIVA SANKARA RAO

Tr.C.M.P.No.775 of 2017

ORDER:

Heard learned counsel for the petitioner and track record filed regarding proof of service to the respondent, service held sufficient, but he failed to attend.

In view of the settled expressions of the Apex Court in **Amita Shah Vs. Virender Lal Shah¹** and **T.Gayatri Devi Vs. Dr.Tallepaneni Sreekanth²** that the inconvenience caused to be the wife must be weighed when compared to that of the husband in matrimonial matters in considering the transfer applications, the present Transfer Petition is allowed and the H.M.O.P.No.16 of 2017, pending on the file of the Senior Civil Judge, Bapatla, is withdrawn and transferred to the Judge, Family Court, City Civil Court, Hyderabad, for renumbering and early disposal. The Senior Civil Judge, Bapatla, immediately on receipt of the order shall transmit the records for giving fresh number by the Judge, Family Court, City Civil Court, Hyderabad. Needless to say the Judge, Family Court, City Civil Court, Hyderabad, shall not insist the personal appearance of the respondent herein, if representing through counsel under Section 13 of the Family Courts Act so permitted, but for to reconciliation and giving of evidence etc.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 04.12.2017
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¹ 2003 (10) SCC 609

² 2013 (6) ALT 42 (SC)