

**HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA**

**CRIMINAL REVISION CASE No.2917 OF 2017**

**ORDER:**

Heard both sides.

Learned counsel for the petitioner placed photostat copy of the order passed by this Court in C.R.P.No.6397 of 2017 between the same parties challenging the order in I.A.No.655 of 2017 in O.P.No.1391 of 2015 passed by the Additional Family Court, City Civil Court, Hyderabad, wherein this Court while referring to Section 19 of the Hindu Marriage Act finally concluded in para 17, thus:

“17. Having regard to the above, the Civil Revision Petition is allowed by setting aside the dismissal order of the lower Court by holding that the Additional Family Court, City Civil Court, Hyderabad, has no jurisdiction within the meaning of Section 19 of the Hindu Marriage Act to entertain the divorce petition filed by the wife against the husband and by directing to return the petition by filing time of taking return for presentation before the Judge, Family Court, Miyapur, by virtue of this order.”

When it was held by this Court that the Additional Family Court, City Civil Court, Hyderabad, has no jurisdiction within the meaning of Section 19 of the Hindu Marriage Act to entertain the divorce petition filed by the wife against the husband and directed to return the petition, similar order has to follow in the present Crl.R.C. setting aside the order passed by the Additional Family Court, City Civil Court, Hyderabad in M.P.No.32 of 2017 in M.C.No.357 of 2015 dated 16.10.2017. Therefore, the Additional Family Court, City Civil Court, Hyderabad is directed to return the petition by following the

procedure so as to enable the petitioner to present the present petition before the Miyapur Court.

Accordingly, the Criminal Revision Case is disposed of.

As a sequel thereto, Miscellaneous Petitions, if any, pending in the Criminal Revision Case shall stand closed.

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**A.SHANKAR NARAYANA,J**

Dt.15.12.2017

ssp

