

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

TRANSFER C.M.P.No.840 of 2017

ORDER :

Heard learned counsel for the petitioner and the grounds urged in the transfer petition filed by the petitioner-wife of the respondent to withdraw O.P.No.1773 of 2015 from the file of the Judge, Family Court, Ranga Reddy District at L.B.Nagar, filed by her husband for divorce to the file of the Judge, Family Court, Nalgonda, where O.P.No.19 of 2016 filed by her for restitution of conjugal rights is pending.

2. In view of the settled expressions of the Apex Court in **T. Gayatri Devi v. Dr.Tallepaneni Sreekanth¹** and **Amita Shah v. Virender Lal Shah²**, 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 application, the present transfer petition is allowed and O.P.No.1773 of 2015 pending on the file of the Judge, Family Court, Ranga Reddy District at L.B.Nagar, is withdrawn and transferred to Judge, Family Court, Nalgonda. The Judge, Family Court, Nalgonda, shall club both the matters i.e., O.P.No.1773 of 2015 and O.P.No.19 of 2016, and decide, by virtue of this order, and shall not insist the personal appearance of the parties herein if representing through advocate under Section 13 of

¹ 2013 (6) ALT 42 (SC)

² (2003) 10 SCC 609

the Family Courts Act, if any, but for reconciliation and for giving of evidence.

Miscellaneous petitions pending, if any, shall stand closed. No order as to costs.

Dr. B. SIVA SANKARA RAO, J

26th December 2017.

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