THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

TRANSFER CRIMINAL PETITION NO.44 OF 2018

ORDER:

This transfer criminal petition is filed by the petitioners under Section 407 Cr.P.C. to withdraw S.C.No.138 of 2015, pending on the file of the III Addl. Sessions Judge-cum-Family Court, Srikakulam and transfer the same to the I Addl. District and Sessions Judge or IV Addl. District Judge, Srikakulam.

2. Heard learned counsel for the petitioners and perused the record.

3. Learned counsel for the petitioners would submit that the learned Judge has fixed the trial of the case from 05.03.2018. On that day, there is a marriage of the counsel for the petitioners. In spite of the request made by the counsel for the petitioners, the Court below has not considered the same.

4. What is submitted and pleaded before the Court below is not sufficient to withdraw the Sessions Case and transfer the same as prayed for. If for any justifiable reason, the petitioners could not proceed with the trial of the case as fixed, they have to make an application before the Court concerned for adjournment and to re-fix the schedule of the case. There are no merits to allow the petition.

5. Accordingly, the Transfer Criminal Petition is dismissed. Miscellaneous petitions, if any pending in this Petition shall stand closed.

DR.SHAMEEM AKTHER, J

DATED: 20-02-2018.
Hsd

HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
सत्यमेव जयते