

**HON'BLE SRI JUSTICE A. SHANKAR NARAYANA**

**TRANSFER C.M.P. No.100 OF 2018**

**ORDER:**

The request made in the present Transfer C.M.P. by the petitioner - wife under Section 24 of the Code of Civil Procedure, 1908, to withdraw O.P. No.1578 of 2017 from the file of Judge, Family Court, City Civil Court, Hyderabad, and to transfer the same to the Judge, Family Court, Warangal.

2. The aforesaid O.P. is filed by the respondent - husband for restitution of conjugal rights.

3. Heard Sri P. Shravan Kumar Goud, learned counsel for the petitioner - wife, and Sri Bankatlal Mandhani, learned counsel for the sole respondent - husband.

4. The learned counsel for the petitioner would submit that the petitioner is now staying at her parents' house at Hanamkonda, Warangal District and she has got a small child of 2½ years and it will be very difficult for her to travel from Warangal to attend the Court at Hyderabad and, therefore, makes a request to transfer the aforesaid O.P.

5. The learned counsel for the respondent would submit that the respondent - husband is ready to pay the expenses, the travel time is only 2 ½ hours from Warangal to Secunderabad and number of

trains are available, besides bus conveyance and, therefore, resisted the request.

6. The fact remains that the petitioner has got a small child of 2½ years, perhaps, may be four years now and she has to take care of the child and with male assistance alone she has to travel to attend the Court at Hyderabad regularly in the aforesaid case rather than it would not be inconvenient for the respondent to travel to Warangal and conduct the case there. There is every merit in the request made.

7. Therefore, the Transfer Civil Miscellaneous Petition is allowed. O.P. No.1578 of 2017 pending on the file of the Judge, Family Court, City Civil Court, Hyderabad, is withdrawn and transferred to the Judge, Family Court, Warangal, for disposal in accordance with law. The learned Judge, Family Court, Warangal is also directed to dispose of the O.P. within three (3) months from the date of receipt of a copy of the order. Both parties shall cooperate with the Court to comply with the aforesaid direction. No order as to costs.

8. The learned Judge, Family Court, Warangal shall issue notices to both parties on receipt of records from the court of Judge, Family Court, City Civil Court, Hyderabad.

As a sequel thereto, miscellaneous petitions, if any, pending in the Transfer CMP, stand closed.

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**A. SHANKAR NARAYANA, J**

**April 16, 2018.**  
Mgr

