

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

Transfer Civil Miscellaneous Petition No.561 of 2016

ORDER:

Heard Sri Naresh Kumar Gundapu, learned counsel for the petitioner-wife.

2. None appears for the respondent-husband, despite taking notice with the permission of the Court on the learned counsel for the respondent before the Court below.

3. The request is to withdraw O.P. No.20 of 2016 from the file of Senior Civil Judge, Bodhan, Nizamabad District and transfer the same to the file of Senior Civil Judge, Bapatla, Guntur District on the ground that the petitioner-wife has got children and the respondent-husband is not paying the maintenance amount, and, therefore, Enforcement Petition is pending, in which Non-Bailable Warrant was issued by the learned Judicial Magistrate of First Class, Bapatla.

4. When these allegations are not refuted by the respondent-husband by making appearance and the very fact that even the respondent-husband failed to pay maintenance amount and the petitioner was constrained even to file the Enforcement Petition on the file of Judicial Magistrate of First Class, Bapatla, constitute sufficient ground for ordering the present Transfer Civil Miscellaneous Petition.

5. Therefore, the present Transfer Civil Miscellaneous Petition is allowed. O.P. No.20 of 2016 pending on the file of Senior

Civil Judge, Bodhan, Nizamabad District is withdrawn and transferred to the file of Senior Civil Judge, Bapatla, Guntur District. The transferee Court shall issue notices to both parties on receipt of case bundle and dispose of the O.P. in accordance with law. There shall be no order as to costs.

As a sequel thereto, miscellaneous petitions if any pending in the Transfer Civil Miscellaneous Petition shall stand closed.

A.SHANKAR NARAYANA

Dt. 17.04.2018
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