

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

TRANSFER C.M.P. No.347 OF 2015

ORDER:

In fact, the present Transfer Civil Miscellaneous Petition relates to the year 2015, and the same has been pending for the past two years. Service is not completed. The endorsement of the Serving Authority is that 'Addressee Left'.

2. The petitioner - wife makes a request to withdraw O.P. No.73 of 2015 on the file of the Senior Civil Judge, Siddipet, Medak District and to transfer the same to the Judge, Family Court, Nizamabad, on the ground that there are other matters i.e., M.C. No.40 of 2014 is pending. In such a situation, certainly, the request can be acceded to, irrespective of service of the notice on the respondent - husband, besides it appears a crime is also registered by Women Police Station, Nizamabad, against the respondent for the offences punishable under Sections 498-A and 324 IPC and Sections 3 and 4 of the Dowry Prohibition Act, 1968, and charge sheet is filed before the I Additional Judicial Magistrate of First Class, Nizamabad. It appears that on the date when the present Transfer Civil Miscellaneous Petition was filed, charge sheet was pending for taking cognizance for the offences alleged therein.

3. In such an event, it is desirable to accede to the request of withdrawing the O.P. No.73 of 2015 from the file of the Senior Civil Judge, Siddipet of Medak District, and transfer the same to the file of Judge, Family Court, Nizamabad.

4. Accordingly, the Transfer Civil Miscellaneous Petition is allowed. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the present Transfer C.M.P., stand closed.

March 23, 2018.
Mgr

A. SHANKAR NARAYANA, J

