

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

Tr.C.M.P.No.695 of 2018

ORDER

This petition under Section 24 of CPC is filed to withdraw FCOP No.35 of 2015 pending on the file of the Judge, Family Court-cum-Additional District and Sessions Judge at Nalgonda, and transfer to the Court of XV Additional District Judge-cum-I Additional Judge, Family Court, Ranga Reddy District at Kukatpally.

2. The respondent filed aforesaid OP under Section 13(1)(ia)(ib) of Hindu Marriage Act, 1955, for dissolution of marriage by granting a decree of divorce on various grounds. The contention of petitioner is that during pendency of said OP., it is difficult for her to appear before the Court at Nalgonda on every date of adjournment undertaking journey of more than 200 kms and that the incident occurred at bus stand itself is an indication that she is also facing life threat from the hands of respondent and therefore, she requested to withdraw the said OP.

3. Learned counsel for petitioner, Sri Mahesh Raje, has reiterated the contentions raised in the petition, mainly on the ground of threat to life and requested to withdraw and transfer the said OP besides granting expenses for travelling etc.

4. The petitioner is aged 31 years. Though she is a housewife, attending the Court at Nalgonda on every date of adjournment is a difficult task to her. In case, her appearance is dispensed with on every date of adjournment, except on the dates of reconciliation and recording her cross-examination, the inconvenience to undertake journey is no more available. Therefore, the Judge, Family Court,

Nalgonda, is requested not to insist her personal appearance on every date of adjournment, except on the date when reconciliation proceedings are taken up and recording her cross-examination or whenever her personal appearance is necessary, as long as she is being represented by her counsel.

5. The second ground raised by petitioner is that she is facing life threat from the hands of respondent. Though the said allegation is made, there is no material to substantiate the same. However, the Judge, Family Court, Nalgonda, is requested to provide necessary police protection to petitioner on receipt of requisition from her whenever she attends the Court.

6. The third ground raised by petitioner is that she is a housewife and unable to meet the expenses for travelling and other incidental expenses. The respondent is directed to pay travelling and other incidental expenses including stay and food etc., whenever she attends the Court not only to her but also to the person, who accompanied her, as directed by the Judge, Family Court, Nalgonda.

7. With the above directions in paragraph Nos.4 to 6, the Transfer Civil Miscellaneous Petition is disposed of. No order as to costs. Miscellaneous petitions, if any, pending in this petition shall stand closed.

M. SATYANARAYANA MURTHY, J

6th November, 2018

sj