

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

TRANSFER C.M.P.NO.10 OF 2018

ORDER:

This Transfer CMP is filed under Section 24 of the Code of Civil Procedure, 1908, seeking transfer of FCOP.No.236 of 2017 from the file of the Judge, Family Court, Khammam, to the file of the Judge, Family Court, Warangal.

Petitioner is the wife of the respondent and they had got married on 12.02.2016.

Petitioner had filed FCOP.No.16 of 2016 against the respondent under Section 9 of the Hindu Marriage Act, 1955, before the Judge, Family Court, Warangal, for restitution of conjugal rights and respondent filed FCOP.No.236 of 2017 before the Judge, Family Court, Khammam, seeking dissolution of the said marriage.

Petitioner contends that she had shifted her residence from Warangal to Rajnagar, Uppal, Hyderabad and it would be difficult for her to attend proceedings in FCOP.No.236 of 2017 at Khammam alone.

Counsel for respondent states that the respondent is employed at Khammam and if transfer is made, his presence on each and every date of adjournment be dispensed with.

Since the petitioner is presently residing at Uppal, Hyderabad, it would be difficult for her to attend the proceedings in FCOP.No.16 of 2016 at Warangal and FCOP.No.236 of 2017 at Khammam.

Hence, both FCOP.No.16 of 2016 at Warangal and FCOP.No.236 of 2017 at Khammam are transferred to the Family Court, Ranga Reddy District at L.B. Nagar, for joint trial. The Family Court, Ranga Reddy District at L.B. Nagar, shall not insist for appearance of the respondent in both FCOPs except where his presence is absolutely necessary since he is employed at Khammam and he would find it difficult to attend the Family Court, Ranga Reddy District at L.B. Nagar, on every date of adjournment.

The Transfer CMP is disposed of, accordingly.

There shall be no order as to costs. Miscellaneous applications, if any, pending shall stand closed.

(M.S.RAMACHANDRA RAO, J)

29th July 2019
RRB