

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

Tr.CMP.No.192 of 2018

ORDER:

This Tr.CMP. is filed under Section 24 of the CPC to transfer O.P.No.1360 of 2017 on the file of III Additional Family Court Judge, Malkajgiri to the Court of the Judge, Family court, Secunderabad to be tried along with O.P.No.159 of 2018 pending on his file.

2. Petitioner is the wife of the respondent.
3. Respondent filed O.P.No.1360 of 2017 against the petitioner seeking dissolution of marriage between them before the III Additional Family Court Judge, Malkajgiri.
4. Petitioner filed O.P.No.159 of 2018 before the Judge, Family Court, Secudnerabad, for restitution of conjugal rights invoking Section 9 of the Hindu Marriage Act, 1955.
5. Though notice in this CRP is taken out by the petitioner and is served on the respondent, there is no representation on behalf of the respondent.
6. Since there is a likelihood of passing of conflicting judgments if both the OPs are tried by different Courts, and since common issues of law and fact would arise in both the

OPs, it is desirable that both the OPs are tried by the same Court.

7. Therefore, this Tr.CMP., is allowed and O.P.No.1360 of 2017 is transferred from the file of III Additional Family Court Judge, Malkajgiri to the Court of the Judge, Family court, Secunderabad to be tried along with O.P.No.159 of 2018 pending before the said Court. No order as to costs.

8. Consequently, miscellaneous petitions pending if any, shall stand closed.

M.S. RAMACHANDRA RAO, J

01st April, 2019.

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