

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Transfer Civil Miscellaneous Petition No.19 of 2020

ORDER:

This Transfer Civil Miscellaneous Petition, under Section 24 of CPC, is filed by the petitioner/wife, requesting to withdraw O.P.No.334 of 2019 from the Family Court, City Civil Court, Hyderabad, and transfer the same to the Court of Additional Family Court-cum-Special Court for trial of Jubilee Hills Bomb Blast Case, Hyderabad, for trial and disposal along with O.P.No.1309 of 2018, in accordance with law.

2. Heard the learned counsel for both the sides and perused the record.

3. The petitioner and the respondent are wife and husband. Their marriage was performed on 27.04.2009 at Hyderabad and during their wedlock, the couple were blessed with a baby boy. Subsequently, disputes arose between the couple and the petitioner/wife was allegedly necked out from her matrimonial house. Thereafter, the petitioner/wife filed O.P.No.1309 of 2018 seeking divorce and permanent alimony and a maintenance case in M.C.No.143 of 2018 seeking maintenance, against the respondent/ husband, before the Additional Family Court-cum-Special Court for trial of Jubilee Hills Bomb Blast Case, Hyderabad. On the other hand, the respondent/husband filed O.P.No.334 of 2019 before the Family Court, City Civil Court, Hyderabad, against the petitioner/wife, seeking restitution of conjugal rights.

4. During the course of hearing, both the learned counsel have fairly conceded that the Family Court, City Civil Court, Hyderabad, is a designated Court for matrimonial disputes and it is convenient for both the parties if the subject O.P.No.1309 of 2018 and M.C.No.143 of 2018 filed by the petitioner/wife are transferred to the said Court for trial and disposal along with O.P.No.334 of 2019 filed by the respondent/husband and requested this Court to withdraw O.P.No.1309 of 2018 and M.C.No.143 of 2018 from the Additional Family Court-cum-Special Court for trial of Jubilee Hills Bomb Blast Case, Hyderabad, and transfer the same to the Family Court, City Civil Court, Hyderabad, for trial and disposal along with O.P.No.334 of 2019.

5. It is apt to state that the Additional Family Court-cum-Special Court for trial of Jubilee Hills Bomb Blast Case is also a competent Court to try and dispose of the subject O.P.No.1309 of 2018 and M.C.No.143 of 2018 filed by the petitioner/wife. But however, acceding to the aforementioned request of both the learned counsel and without expressing any opinion on the merits of this petition, O.P.No.1309 of 2018 and M.C.No.143 of 2018 pending on the file of the Additional Family Court-cum-Special Court for trial of Jubilee Hills Bomb Blast Case, Hyderabad, are withdrawn and transferred to the Family Court, City Civil Court, Hyderabad, for trial and disposal along with O.P.No.334 of 2019, in accordance with law.

6. This Transfer Civil Miscellaneous Petition is ordered accordingly. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Transfer CMP, shall stand closed.

Dr. SHAMEEM AKTHER, J

28th July, 2020
Bvv

