

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CIVIL REVISION PETITION No.184 OF 2020

ORDER:

This revision, under Article 227 of the Constitution of India, is filed by the petitioner-husband aggrieved by the order dated 17.12.2019 passed in I.A.No.4 of 2019 in O.P.No.106 of 2017 by the Chairman, Motor Accident Claims Tribunal (Judge, Family Court) at Nalgonda, whereby the application filed by the revision petitioner-husband under Order VII Rule 10 read with Section 151 of CPC to return the divorce O.P.No.106 of 2017 filed by the respondent-wife to present the same before proper Court having jurisdiction, was dismissed.

2. Heard learned counsel for the revision petitioner-husband and perused the record.

3. Learned counsel for the revision petitioner-husband would contend that the respondent-wife temporarily resided at Nalgonda and now she is said to be residing at Narayanpur Mandal, Yadadri Bhongir District. Therefore, the revision petitioner-husband filed the subject Interlocutory Application before the Court below to return the aforesaid O.P. for presenting the same before proper Court.

4. There is specific mention in the pleadings that the respondent-wife resided at Nalgonda before filing of the said O.P. Therefore, the Family Court, Nalgonda, has jurisdiction to try the said O.P. Moreover, the O.P. is part-heard. The Court below having elaborately dealt with these aspects, is justified in dismissing the subject Interlocutory Application *vide* impugned order dated 17.12.2019. Under these

circumstances, the Civil Revision Petition is devoid of merit and is liable to be dismissed.

5. In the result, the Civil Revision Petition is dismissed.

The Miscellaneous Petitions, if any, pending shall stand closed.

No costs.

Dr. SHAMEEM AKTHER, J

Date: 05.02.2020
ssp

