

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Transfer Civil Miscellaneous Petition No.278 of 2019

ORDER:

This Transfer Civil Miscellaneous Petition, under Section 24 of the Code of Civil Procedure, 1908, is filed by the petitioner/wife, requesting to withdraw F.C.O.P.No.722 of 2016 from the Judge, Family Court, City Civil Court, Hyderabad, and transfer the same to any other Family Court either in Secunderabad or Ranga Reddy District other than Hyderabad by fixing timeframe of two months for trial and disposal in accordance with law.

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

3. Learned counsel for the petitioner/wife would submit that the premises of City Civil Court, Hyderabad, is not conducive, as the respondent/husband, with the active assistance of his henchmen, is indulging in different tactics to defeat her case. The petitioner/wife also made allegations against the Court staff and Presiding Officer of the Additional Family Court. The petitioner/wife also addressed a letter, dated 29.10.2018 to the Hon'ble the Chief Justice of the erstwhile common High Court for the States of Telangana and Andhra Pradesh, stating the above acts of the respondent/husband and sought discreet enquiry into the

matter and ultimately prayed to allow the Transfer CMP as prayed for.

4. On the other hand, learned counsel for the respondent/husband would contend that the allegations made by the petitioner/wife are baseless. The Chief Judge, City Civil Court, Hyderabad, was already pleased to withdraw the subject FCOP No.722 of 2016 from the file of Additional Family Court, City Civil Court, Hyderabad and transferred the same to the Judge, Family Court, City Civil Court, Hyderabad and ultimately prayed to dismiss the Transfer CMP.

5. During the course of submissions, both parties have made serious allegations against each other. However, both parties have conceded to transfer the subject FCOP No.722 of 2016 to the file of II Additional Family Court-cum-XV Additional District Judge, Prashanth Nagar, Kukatpally.

6. Since both the parties have fairly conceded to transfer the subject FCOP No.722 of 2016 to the file of II Additional Family Court-cum-XV Additional District Judge, Prashanth Nagar, Kukatpally, and to meet the ends of justice and also for expeditious disposal, this Court accedes the request of both the parties.

7. In the result, this Transfer Civil Miscellaneous Petition is allowed and F.C.O.P.No.722 of 2016 is withdrawn from the file of Judge, Family Court, City Civil Court, Hyderabad, and transferred to the file of II Additional Family Court-cum-XV

Additional District Judge, Prashanth Nagar, Kukatpally, for trial and disposal, in accordance with law.

Miscellaneous petitions, if any, pending in this Transfer CMP, shall stand closed. There shall be no order as to costs.

21st January, 2020
Vvr

Dr. SHAMEEM AKTHER, J

