

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

FRIDAY, THE FIFTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY ONE

PRESENT

THE HON'BLE SRI JUSTICE A.VENKATESHWARA REDDY

TRANSFER C.M.P.NO. 169 OF 2021

Between:

Shaik Baba Khader Vali, S/o, Late Pentu Sahab, age 52 years, Occu: Govt
Servant, R/o, 10-3-283/4, Room No.4, Masjid-e-Zahan Ara, Humayun Nagar,
Mehdipatnam, Hyderabad.

...PETITIONER

AND

Mrs.Zahanath Afroz, W/o, S K Baba Khadar Vali, age 46 years, Occu: Govt
Servant, R/o, 10-3-17/504, Flat No.504, 5th floor, Apex Habitat apartment,
Humayun Nagar, Mehdipatnam, Hyderabad.

...RESPONDENT

Petition Under Section 24 of the C.P.C. Praying that in the circumstances
stated in the affidavit filed therewith, the High Court may be pleased to transfer
F.C.O.P. No.43 of 2021 on the file of 1st Additional Family Court, City Civil Courts,
Hyderabad to Principal Family Court, City Civil Courts, Hyderabad.

IA NO: 1 OF 2021

Petition under Section 151 CPC praying that in the circumstances stated in the
affidavit filed in support of the petition, the High Court may be pleased to stay all
further proceedings in F.C.O.P. No.43 of 2021 on the file of 1st Additional Family
Court, City Civil Courts, Hyderabad, pending disposal of the main Transfer CMP.

This Petition coming on for hearing, upon perusing the Petition and the affidavit
filed in support thereof and upon hearing the arguments of G. Suresh Goud,
Advocate for the Petitioner and none appeared for the Respondent.

The Court made the following: ORDER

HONOURABLE SRI JUSTICE A.VENKATESHWARA REDDY

TRANSFER CMP.No.169 of 2021

ORDER:

Heard learned counsel for the petitioner.

2. On 25.10.2021 as per the proceedings since proof of service was not filed, learned counsel for the petitioner was advised to file proof of service. To-day, proof of service of personal notice is filed and as per the postal consignment, the item was delivered on the respondent-husband, called absent and no representation on behalf of the respondent.

3. This transfer CMP is filed with request to withdraw OP.No.43 of 2021 pending on the file of First Additional Family Court, City Civil Courts and to transfer the same to Principal Family Court, City Civil Courts where FCOP.No.521 of 2020 filed by the husband-respondent is pending.

4. Having regard to the fact that the respondent remained absent without any representation and that another matter filed by the husband is pending on the Court of Principal Judge, Family Court, Hyderabad, I deem it fit to consider the request of the petitioner to avoid conflicting opinions on the orders.

5. In the result, transfer CMP is allowed. FCOP.No.43 of 2021 pending on the file of I Additional Family Court, City Civil Courts, Hyderabad is hereby withdrawn and transferred the same to the Principal Judge, Family Court at City Civil Courts, Hyderabad for disposal along with FCOP.No.521 of 2020. Learned Judge, I Additional Family Court shall transmit the entire case record, after duly indexed, to the Judge, Family Court at City Civil Courts,

Hyderabad immediately after receipt of the orders. Pending miscellaneous applications, if any, shall stand closed.

//TRUE COPY//

SD/-K.SAILESHI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The I Additional Family Court, City Civil Court, Hyderabad.
 2. The Principal Judge, Family Court at City Civil Courts at Hyderabad.
 3. One CC to Sri G. Suresh Goud, Advocate [OPUC]
 4. Two CD Copies
 5. One Spare Copy
- gbr

N. J.

HIGH COURT

DATED: 05/11/2021



ORDER

TR.CMP.No.169 of 2021

ALLOWING THE TR.CMP

⑥ VW
26/11/21