

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

**WEDNESDAY, THE EIGHTH DAY OF JUNE
TWO THOUSAND AND TWENTY TWO**

**PRESENT
THE HONOURABLE SMT JUSTICE P.SREE SUDHA**

TR.C.M.P.NO: 681 OF 2016

Between:

Kandula @ Nagavelli Sravani, W/o Kandula Shyam Kumar, D/o Nagavelli Sathesh,
Aged : 24 years, Occ: House wife, R/o # 9-9-175/3, Yellam Bazar, Warangal District,
Telangana State.

...PETITIONER (WIFE)

AND

Kandula Shyam Kumar, S/o K.R.K. Prasad, Aged : 34 years, Occ: Private Employee,
R/o # Plot No. 576, S.K.D. Nagar, Vanasthalipuram, Ranga Reddy District, Telangana
State.

...RESPONDENT (HUSBAND)

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 the
O.P.No. 1435 of 2016 on the file of the Judge, Family Court, Ranga Reddy District of
the Family Court Judge at Warangal District.

TRCMPMP. NO: 797 OF 2016

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 O.P.No. 1435 of 2016 on the file of the Family Court Judge,
Ranga Reddy District.

This petition coming on for hearing upon perusing the petition and the affidavit
filed in support thereof and upon hearing the arguments of Sri V.Raju, Advocate for
the petitioner and of the Respondent not appearing by person or by Advocate.

The Court made the following: ORDER

HONOURABLE SMT.JUSTICE P. SREE SUDHA**TRANSFER CMP.No. 681 OF 2016****ORDER :**

This Transfer CMP is filed by the petitioner/wife seeking to transfer the OP.No.1435 of 2016 pending on the file of the Family Court Judge, Ranga Reddy district to that of the Court of Family Court Judge, Warangal district.

2. On 08-12-2016 notice before admission was ordered and the counsel for the petitioner was permitted to take out personal notice to the respondent by registered post with acknowledgement due and to file proof of service and the matter was directed to be listed after service of notice. In Tr.CMP.No. 797 of 2016, this court heard the matter and recorded that as the wife's inconvenience, financial weakness and incapacity to undertake to travel and attend the case filed by the husband in a court at a place, which is away from the place of her residence require detailed examination, there shall be interim stay as prayed for until further orders.

3. Since 08-11-2021 the counsel for the petitioner called absent and no representation. Notice of respondent returned un-served, Hence, fresh notice to

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respondent was ordered including personal notice and directed to list the matter on 14-12-2021.

4. On 14-12-2021 when the matter was listed the counsel for the petitioner called absent and proof of service is not filed and matter was directed to be listed on 04-1-2022.

5. Since 20-01-2021 there is no representation on behalf of the petitioner and the matter is adjourned from time to time. On 21-04-2022 when the matter was listed the counsel for the petitioner called absent. This court recorded that on 27-10-2016, 18-11-2016, 20-01-2021, 10-2-202 and 10-03-2022, there is no representation on behalf of the petitioner. It seems that he has no interest to pursue the litigation and directed to list the matter on 06-06-2022 under the caption "for dismissal".

6. As can be seen from the proceeding sheet of this Transfer CMP, the counsel for the petitioner argued the matter on 08-12-2016, and this court after hearing the matter, recorded reasons and granted interim stay as prayed until further orders in Tr.CMP.No, 797 of 2016. Since then, till date, the counsel for the petitioner is not evincing any kind of interest to appear and represent the matter before this court. Moreover, he did not file proof of service of personal notice on the respondent and the notice on the respondent also returned un-served.

In the considered opinion of this court, the counsel for the petitioner is not evincing any kind of interest in representing the matter despite the matter listed under the caption "*for dismissal*" and the conduct of the petitioner is also not diligent enough in prosecuting the matter as well after obtaining interim stay.

7. For the foregoing facts and circumstances, this Court has left with no other option but to dismiss, the Transfer CMP.No.681 of 2016 for non-prosecution.

8. In the result, the Transfer CMP.681 of 2016 stand dismissed for non-prosecution. Consequently, the interim stay granted in Transfer CMP.MP.No.797 of 2016 shall stand dissolved.

9. As a sequel, miscellaneous applications pending, if any, shall stand disposed of.

//TRUE COPY//

Sd/-T KRISHNA KUMAR
DEPUTY REGISTRAR

SECTION OFFICER

To

1. The Judge, Family Court, Ranga Reddy District at L.B.Nagar. (with records, if any)
2. One CC to Sri V.Raju, Advocate (OPUC)
3. Two CD Copies
4. One Spare Copy

K.



HIGH COURT

DATED:08/06/2022

ORDER

TRCMP.No.681 of 2016



ATM 5
2/8/2022

DISMISSING THE TR.CMP FOR NON-PROSECUTION.