

Nisha Augustine vs Martin Nelson

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Court : Kerala

Decided On : Sep-30-2022

Judge : Honourable Mr.Justice C.S.Dias

Appeal No. : Tr.P(C)/371/2018

Appellant : Nisha Augustine

Respondent : Martin Nelson

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE C.S.DIAS FRIDAY, THE 30TH DAY OF SEPTEMBER 2022 / 8TH ASWINA, 1944 AGAINST THE ORDER/JUDGMENT IN OPDA 124/2018 OF FAMILY COURT,TRIVANDRUM PETITIONER/S: NISHA AUGUSTINE AGED 31 YEARS AGED 31 YEARS, W/O.MARTIN NELSON, RESIDING AT USHUS, PUTHUVAKKAL VEEDU, MEKKADU MURI, CHAVARA, PANMANA VILLAGE, KARUNAGAPPALLY TALUK, KOLLAM, REPRESENTED BY HER MOTHER POWER OF ATTORNEY TELMA AUGUSTINE OF -DO- -DO-. BY ADV K.SUBASH CHANDRA BOSE RESPONDENT/S: MARTIN NELSON AGED 33 YEARS AGED 33 YEARS, S/O.JOSEPH NELSON, GIJOMA NIVAS, TC

P.O.,THIRUVANANTHAPURAM-695 021. THIS TRANSFER PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30.09.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER

The transfer petition was filed as early as on 18.06.2018. This Court had admitted the transfer petition and issued notice to the respondent. Even though steps have been taken, service is not complete. In the meantime, the learned counsel appearing for the petitioner expired. The Registry had issued notice to the petitioner intimating the death of the counsel and the pendency of the transfer petition. Even today, no steps have been taken to engage another counsel or taken steps against the respondent. Hence, I assume that nothing further survives in this transfer petition. The transfer petition is dismissed without prejudice to the right of the petitioner to move again, if any cause of action survives. Sd/- C.S.DIAS, JUDGE rkc/30.09.22 APPENDIX PETITIONER'S EXHIBITS ANNEX.I: TRUE COPY OF PETITION FILED BEFORE THE FAMILY COURT, CHAVARA BY FILING MC.NO.121/2015 ANNEX.II: TRUE COPY OF THE PETITION IN O.P.NO.392/2015 OF THE FAMILY COURT, CHAVARA ANNEX.III: TRUE COPY OF THE PETITION SUBMITTED BEFORE THE FAMILY COURT, THIRUVANANTHAPURAM

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