

O R D E R

Delay condoned.

Issue notice.

Mr. Hemant Surve, counsel accepts notice on behalf of the respondent.

With the consent of both sides this special leave petition is disposed of at this stage itself.

Leave granted.

In the facts and circumstances of the case, we consider it just and proper to allow the appeal.

We, accordingly, direct the transfer of case bearing No. Petition A:76/09 pending before the Principal Judge, District Family Court, Aurangabad to the Court of Civil Judge (Senior Division), Akola. At Akola, the transferred case will be connected with Special Civil Suit No.80/2008 and the two cases will be disposed of together.

-2-

It will be open to the parties to make a prayer before the concerned Court at Akola for expeditious disposal of the two cases.

This order will substitute the order passed by the High Court in Misc. Civil Application No.35 of 2009 with Civil Appeal No.11493 of 2009.

.....J.
(AFTAB ALAM)

.....J.
(T.S. THAKUR)

NEW DELHI,
MAY 13, 2010.