

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

6 WRIT PETITION NO.7894 OF 2009

RAHULKUMAR HIRALAL MUNOT
VERSUS
KANTILAL DAGDURAM MUTHIYAN

...
Advocate for Petitioner : Mr. R.R. Karpe h/f Mr. S.S.Deshmukh.
Advocate for Respondent : Mr. Patni Pramod F.
...

CORAM : V. K. JADHAV, J.
DATE : 24.02.2020

PER COURT :-

1. The learned counsel for the respondent sole / decree holder is present. The learned counsel for the respondent / decree holder, on instructions, submits that during pendency of this Writ Petition, the Summary Darkhast No.2 of 2007 came to be disposed off in terms of the amicable settlement between the parties. It appears that in Summary Darkhast No.2 of 2007, the petitioner / Judgment Debtor had filed an application below Exh.31 to the extent that the amount deposited by him in criminal case be adjusted against the decree. The Trial Court vide order dated 05.10.2009 rejected the said prayer. Hence, the petitioner / Judgment Debtor has

preferred this Writ Petition.

2. The learned counsel now appearing for the respondent / decree holder pointed out that the said Darkhast has been disposed off in terms of the compromise. This Writ Petition has become infructuous. The learned counsel appearing for the petitioner / Judgment Debtor has also not disputed the same.

3. The Writ Petition is accordingly disposed off. Rule discharged.

(V. K. JADHAV, J.)

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vmk/-