

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.11993 OF 2022
ABDUL WAHED SHAIKH AMIR
VERSUS
ABDUL SAMAD NAJMODDIN DIED BY LRS LATIFABE
ABDUL SAMAD SHAIKH**

...

Mr. Shaikh Mujtaba Gulam Mustafa, Advocate for the Petitioner.
Mr. P. K. Nikam, Advocate for Respondent Nos.1-B to 1-D.

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**CORAM : SANDEEP V. MARNE, J.
DATED : 16th DECEMBER, 2022.**

PER COURT:-

1. Learned counsel appearing for petitioner on instructions seeks leave to withdraw petition.
2. Only apprehension that learned counsel for petitioner expresses is that withdrawal of this writ petition shall not come in the way of defendant clarifying the mistake of word 'Northern' stated in paragraph no.4 of the affidavit of evidence dated 14.07.2016 from being clarified as word 'Southern'.
3. This Court has already granted liberty to defendant to step into the witness box and clarify the position. Accordingly, during the course of his further oral examination-in-chief it shall be open for defendant to clarify that the word 'Northern' has erroneously being stated in paragraph no.4 of the affidavit of evidence and that the same should be read as 'Southern'.
4. With the above observations, writ petition is dismissed as withdrawn.

**(SANDEEP V. MARNE)
JUDGE**