



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
SECOND APPEAL NO.345 OF 2014
WITH
CIVIL APPLICATION NO.5309 OF 2014**

**SHAIKH MISHRU SHAIKH UMAR
VERSUS
DALIL SHAIKH FARID & ORS.**

...
Mr. Amol M. Salok, Advocate for the Appellant.
Mr. A. M. Gholap, Advocate for Respondents.

...
**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 20th DECEMBER, 2024.**

P.C.:-

1. Leave to amend. Amendment to be carried out forthwith.
2. By order dated 16.12.2024, Second Appeal was referred for mediation. The learned Mediator forwarded his report dated 19.12.2024 alongwith terms of settlement agreed upon by the respective parties. Parties have signed the terms of settlement. They are identified by respective Advocates. The learned Mediator has also affirmed that parties have signed the terms of settlement before him. The map indicating right to way made available to appellant in terms of mutual agreement is also annexed to the settlement. Such way is specifically marked in red colour. It depicts that appellant is permitted to use way with width of 12 feet between point A to B as indicated in the map.
3. In that view of the matter, Second Appeal stands disposed of in terms of agreement/settlement dated 19.12.2024 alongwith map appended thereto.
4. Decree be drawn in terms of settlement/agreement as recorded before the learned Mediator. The map appended to the

agreement shall form part of decree. The judgment and decree passed by the Courts below stands modified accordingly. No costs.

5. In view of disposal of Second Appeal, Civil Application does not survive and stands disposed of accordingly.

(S. G. CHAPALGAONKAR)
JUDGE

Devendra/December-2024