



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

**984 WRIT PETITION NO. 13644 OF 2023**

**AZAM YAR KHAN SAMAD YAR KHAN & OTHERS  
VERSUS  
ZIAUDDIN KHAN MUMTAZUDDIN KHAN & OTHERS**

...  
Advocate for the petitioners : Adv.A.P.Bhandari  
Advocate for Respondent no.1 : Adv.G.D.Shaikh  
...

**CORAM : ARUN R. PEDNEKER, J.**

**DATE : 03.05.2024**

**P.C. :**

1] The respondent no.1 – original plaintiff, namely, Ziauddin Khan s/o. Mumtazuddin Khan is present in the Court. The respondent no.1 – original plaintiff, namely, Ziauddin Khan s/o. Mumtazuddin Khan, has filed affidavit stating therein that the respondent no.1 has no objection to allow the present Writ Petition.

2] The learned counsel for the respondent no.1 – original plaintiff submits that the respondent no.1 has no objection to allow the present Writ Petition.

3] The aforesaid affidavit is taken on record.

4] In view of the statement made, the impugned judgment and order dated 11.08.2023 passed by the District Judge-11, Aurangabad in Misc. Civil Appeal No.101/2022 and the judgment and order dated 10.05.2022 passed by 6<sup>th</sup> Joint Civil Judge Junior Division, Aurangabad below Exh.5 in Regular Civil Suit No.201/2022 are quashed and set aside.

5] However, it is clarified that this Court has not verified the settlement dated 02.05.2024 and the parties would be at liberty to verify the settlement before the appropriate authority.

6] In view of the above, the present Writ Petition is disposed of.

**[ARUN R. PEDNEKER]**  
**JUDGE**

DDC