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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

SA No. 121 of 2011
Kamalkishore and anr v. CEO and anr

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's Orders.

Court's or Judge's orders.

Mr R.L. Khapre, Adv for appellant
 Mr M. V. Bute, Adv for R-1 to 3
 Mr M. Ekre, AGP for R-4

CORAM : A. P. BHANGALE, J

DATED : 15th July 2015

1. Heard learned counsel for the parties. This Court vide order dated 18th April 2015 directed respondent Zilla Parishad to undertake survey of the suit area; demarcate the boundaries of land of appellants and then show on a map prepared after survey the location of the proposed road. This Court observed in its order that if the proposed road is not encroaching upon appellants' land, the entire controversy will be over. It was directed that after demarcation of the proposed road, previous road which was going through the land of the appellants shall be closed by erecting wire fencing.

2. Respondent-ZP has filed reply in which it is stated that appellants have given no objection for proposed road indicated by letters ABCDE in the map accompanying the reply. Said Map is marked by letter

“X” for identification.

3. In view of the above, appellants do not want to prosecute appeal and seek permission to withdraw the same. Permission granted.

4. Appeal is disposed of as withdrawn. No order as to costs.

JUDGE

joshi