

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1)

148-07 FAgrouP

11 FIRST APPEAL NO. 148 OF 2007

THE STATE OF MAHARASHTRA AND OTHERS
VERSUS
BHAU KONDAJI GAWADE THROUGH LRs LAXMIBAI BHAURAO
GAWADE AND ORS.

...
AGP for Appellant No.1 State : Mr.C.V.Dharurkar,
ASG for Union of India /appellant Nos.2 to 5 :
Mr. Bhushan Kulkarni.
Advocate for respondent Nos. 1-A to 1-D : Mr.C.K.Shinde.

...
WITH

**FA/149/2007 WITH FA/150/2007 WITH FA/153/2007
WITH FA/375/2007 WITH CA/13666/2011 IN
FA/375/2007 WITH FA/943/2007 WITH FA/1078/2007**

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CORAM : P.R. BORA, J.
Dated: April 25, 2016
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PER COURT :-

1) When the present group of appeals was taken up for hearing, learned Counsel Shri C.K. Shinde appearing for original claimants in all these appeals submitted that, connected appeals arising out of the same acquisition proceedings have been dismissed by this Court vide order passed on 11.02.2016 in First Appeal No.1015/2004, with connected appeals. Learned Counsel has placed on record copy of the aforesaid Judgment.

2) The learned A.G.P. and the learned A.S.G. have not disputed that the present group of appeals and the First Appeal No.1015/2004, and the appeals connected therewith, have arisen from one and the same acquisition. It has also not been disputed that the First Appeal No.1015/2004 and the connected

AGP/-

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appeals therewith, have been dismissed by this Court vide common judgment and order passed on 11.2.2016. Learned A.G.P. and learned A.S.G. were fair enough in submitting that since all these appeals are arising out of one and the same acquisition, the judgment delivered by this Court in First Appeal No.1015/2004, and the appeals connected therewith, would apply to the present group of appeals also.

In view of the above, for the reasons stated by this Court in the judgment and order dated 11.2.2016, in First Appeal No.1015/2004, and the appeals connected therewith, the present appeals also stand dismissed.

3. The balance amount, if any, deposited by the appellants in this Court in the aforesaid appeals towards satisfaction of the awards impugned in the present appeals is permitted to be withdrawn by the respective claimants.

4. The Bank Guarantee / surety, if any, furnished by the original claimants while withdrawing the amounts on previous occasions shall stand discharged.

Pending Civil Applications, if any, stand disposed of.

(P.R. BORA, J.)

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