

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

FIRST APPEAL NO.319 OF 2007

The State of Maharashtra.	... Appellant (Ori. Respondent)
Versus	

Sambhaji Shripati Bankar dead through his L.Rs. and others.	... Respondents. (Ori. Claimants)
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WITH

FIRST APPEAL NO. 147 OF 2007

The State of Maharashtra.	... Appellant (Ori. Respondent)
Versus	

Nana Ahilaji Berad and others.	... Respondents. (Ori. Claimants)
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Mr. G.O.Wattamwar, AGP for Appellants;
Mr. Manoj Dound Patil, Advocate h/f Mr. C.K.Shinde,
Advocate for Respondents ;
...

CORAM : P.R. BORA, J.
Dated : 19th July, 2016

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PER COURT :-

1) When the present two appeals were taken up for hearing, learned Counsel Shri Manoj Dound Patil, Advocate h/f Shri C.K. Shinde, Advocate appearing for original claimants in both the 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 AGP Mr.G.O.Wattamwar has not disputed that the present two 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 appeals therewith, have been dismissed by this Court vide common judgment and order passed on 11.2.2016. Learned A.G.P. was fair enough in submitting that since the present 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.

3) 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.

4) 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Court in the aforesaid appeals towards satisfaction of the awards impugned in the present appeals is permitted to be withdrawn by the respective claimants in terms of the respective awards.

5) 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.)