

(1)

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

CIVIL REVISION APPLICATION NO. 117 OF 2017

Shankar s/o Hanumant Mudgalwar,
Age: Major, Occu: Agriculture,
R/o. Chinchala, Tal. Umri,
Dist. Nanded

..APPLICANT
(Orig. Claimant)

VERSUS

1. The State of Maharashtra,
Through the Collector,
Nanded
2. The Special Land Acquisition Officer,
Urdhav Penganga Project No.1,
Nanded
3. The Executive Engineer,
Urdhav Penganga Project,
Division No. 6,
Nanded

..RESPONDENTS
(Orig. Respondent)

Mr S. G. Nandedkar, Advocate for applicant;
Mr C. V. Dharurkar, Assistant Govt. Pleader for respondent Nos. 1 & 2

CORAM : N.W. SAMBRE, J.

DATE : 19th June, 2017

ORAL ORDER

Heard.

2. Learned Counsel appearing on behalf of the applicant, upon instructions, makes a categorical statement that for the period from framing of the issues before the Reference Court till this date the applicant shall not claim any interest on the enhanced amount of compensation. The said statement is accepted as an undertaking.

(2)

3. In view thereof, the judgment and order dated 29th June, 2016, passed by learned Civil Judge Senior Division, Bhokar, in Land Acquisition Reference No.37 of 2013, is hereby set aside. Land Acquisition Reference No.37 of 2013 stands restored to the file of Civil Judge Senior Division, Bhokar, who shall decide the same afresh, in accordance with law, after giving an opportunity to the applicant to adduce evidence.

A further assurance of the learned Counsel for the applicant that the applicant shall not seek any adjournment in the matter and shall work out the same expeditiously is also accepted.

In case if the applicant or his lawyer fail to co-operate the learned Civil Judge Senior Division, Bhokar, in deciding the aforesaid matter, the said Court will be at liberty to dismiss the same again.

Civil Revision Application stands allowed in above terms.

(N.W. SAMBRE, J.)

amj