

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

FIRST APPEAL NO. 1362 OF 2016
with
CIVIL APPLICATION NO. 4484 OF 2016

The State of Maharashtra & Anr.

Appellants

V E R S U S

Kanhaiyalal Natwarlal Kapadiya,
deceased, through Lrs (1-A) Smt.
Chandraminbai Kanhaiyalal Kapadiya
and others

Respondents

Mr. S.R. Yadav, A.G.P. for the appellants-State
Mr. R.S. Wani, Advocate, holding for
Mr. A.S. Bajaj, Advocate for the Respondents

CORAM : K.K. SONAWANE, J.

DATE : 8th September, 2017

PER COURT :

1. Heard learned A.G.P. for the appellants-State and learned counsel for the respondents. The decretal amount, as per the Award of the reference Court, has already been deposited in this Court on behalf of the acquiring body. In such circumstances, the Civil Application No.4484 of 2016 filed on behalf of the appellant stands disposed of.

2. In view of the nature of subject-matter, it appears that there is a legal issue arguable in nature.

3. **Admit.**

4. Issue notice to the respondents. Learned counsel Mr. A.S. Bajaj waives service of notice on behalf of respondents.

5. Call record and proceedings from the concerned trial Court.

6. The appellants to submit private paper-book and after due compliance, Appeal be listed for final hearing in due course.

(**K.K. SONAWANE, J.**)