

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

960 CIVIL APPLICATION NO. 4748 OF 2017
IN FA/533/2012 WITH CA/4747/2017 IN FA/533/2012

THE EXECUTIVE ENGINEER JALNA MINOR IRRIGATION DIVISION
JALNA
VERSUS
THE STATE OF MAHARASHTRA AND ORS

Advocate for Applicant : Mr. Rajiv B. Deshmukh
AGP for Respondents: Mr. B.V. Virdhe

CORAM : K.K. SONAWANE, J.

DATED : 03rd NOVEMBER, 2017.

Order :-

When the matter is called out, learned counsel for the applicant remained absent. Learned AGP for respondent No. 1 and learned counsel for respondent-original claimant are present. It has been submitted that First Appeal No. 533 of 2012 has already been decided in terms of compromise arrived at in Lokadalat, held on 23rd January, 2016. In such circumstances, there is no propriety to tender the application for bringing the legal heirs of deceased-respondent No.3 on record.

2. After perusal of order dated 23rd January, 2016 passed in Lokadalat in First Appeal No. 533 of 2012, I find force in the contention put forth on behalf of respondent-original claimant. Disposal of the appeal after amicable settlement in Lokadalat would automatically caused present application infructuous. Hence, there is no propriety to entertain the application. Accordingly application stands dismissed as infructuous. No order as to costs.

**[K. K. SONAWANE]
JUDGE**

mtk.