

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

941 CIVIL APPLICATION NO. 1616 OF 2017
IN FAST/37904/2016

GODAWARI MARATHWADA IRRIGATION DEVELOPMENT CORPORATION,
THR. ITS THE EXECUTIVE E
VERSUS
DINESH RAMLING PATIL

...
Advocate for Applicant : Mr. Prashant S. Shinde
AGP for Co-appellant No. 2 : Mr. S.R. Yadav
Advocate for respondents : Mr. V.V. Ingale
..

WITH CA/1620/2017 IN FAST/38434/2016

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CORAM : K.K. SONAWANE, J.

DATED : 07TH DECEMBER, 2017.

Order :-

1. Heard learned counsel for the applicant -Acquiring Body and learned AGP for co-appellant and learned counsel for respondents-original claimants.
2. Issue notice to respondent. Mr. Ingale, learned counsel waives service of notice for respondents in both matters.
3. Learned counsel for the applicant submits that applicant -Godawari Marathwada Irrigation Development Corporation Ltd., (for short "GMIDC") was not party to the original proceedings. After its constitution, to look after the entire Irrigation project, Executive Engineer, Minor Irrigation handed over the charge to concerned applicant GMIDC. Therefore, the applicant is intending to agitate findings of the learned Reference Court by filing first appeal. Hence, he prayed to grant leave to file appeal against impugned judgment and award passed by the learned Reference Court.

4. Learned Counsel for the respondents- original claimants has no objection to grant leave as prayed for.

5. In view of aforesaid submissions on behalf of both sides and the reasons mentioned in the the applications, the same are allowed in terms of prayer clause "A". Leave to file appeal against impugned Judgment and Award passed by the learned Reference Court is hereby granted. Registry to take requisite steps for further process.

6. Accordingly, civil application stands disposed of.

[K. K. SONAWANE]
JUDGE

MTK.