

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BEFORE THE NATIONAL LOK ADALAT
CIVIL APPELLATE JURISDICTION
FIRST APPEAL NO. 772 OF 2015

The Executive Engineer,
Kadawa Canal Division, Nashik

..Appellants

versus

The State of Maharashtra & Ors.

..Respondents

WITH
FIRST APPEAL NO. 298 OF 2016
WITH
FIRST APPEAL NO. 774 OF 2015
WITH
FIRST APPEAL NO. 806 OF 2015

Ms Chaitrali Deshmukh for i/b. Ms Bhavana R. Khemani for Appellants.

Ms A. A. Takalkar – AGP for State.

Mr. P. J. Ahuja for Respondents – Claimants.

CORAM : **M. S. SONAK, J.**
(HEAD OF THE PANEL)

: **C.D. GONGLE**, RETIRED
DISTRICT JUDGE, MEMBER &

: **M.S. GUPTA**, REGISTRAR (INSP.II.)
MEMBER

DATE : 9th SEPTEMBER, 2017.

P.C. :-

1] Ms Deshmukh states that in these matters Ms. Bhavana R. Khemani has filed the vakalatnamas. She submits that Ms. Bhavana R. Khemani is unable to remain present but the appellant has given authority letter to Ms Deshmukh to appear in these matters and to present / file / sign the consent terms. The officers are also present in the court and they confirm this position. The authority letter is also placed on record. The same is taken on record.

2] The learned counsel for the parties hand in consent terms, which are taken on record and marked as 'X' for the purposes of identification.

3] The consent terms have been signed by the Advocate for the appellant, the Special Land Acquisition Officer and the learned AGP. The consent terms are also signed / bear the thumb impressions of the respondents – claimants. The signatures / thumb impressions have been duly identified by the learned counsel appearing for the respondents claimants. The learned counsel appearing for the respondents- claimants has also signed the consent terms signifying consent.

4] In terms of the consent terms, the appellant, has agreed to honour the Award made by the Reference Court and consequently, withdraw the appeals.

5] In this case, the respondents – claimants have not filed

cross appeals / cross objections and the learned counsel appearing for the respondents / claimants state that they have no intentions to do so.

6] In case there is any issue of withdrawal of compensation amount, the Reference Court is directed to verify the identity of the claimants / legal representatives, if any, at the stage of permitting withdrawal. Necessary endorsement to be made in that regard at the stage of permitting withdrawal.

7] The appellant shall be entitled to refund of court fees in terms of the Rules as permissible.

8] The appeal is disposed of in terms of the consent terms. Necessary awards to be drawn in terms of the consent terms.

9] Since the appeals are now disposed of, the pending civil applications, if any, do not survive and the same are also disposed of.

**(M.S. SONAK,J.)
HEAD OF THE PANEL**

**(C.D. GONGLE)
MEMBER**

**(M.S. GUPTA)
MEMBER**