

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BEFORE THE NATIONAL LOK ADALAT

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 2297 OF 2016

IN

FIRST APPEAL (STAMP) NO. 19116 OF 2015

The Executive Engineer
Madhyam Prakalp, Nashik

..Appellant

versus

Mr. Gangaram Shivram Mondhe
(Decd. Lrs.) Devram Gangaram
Mondhe and ors.

..Respondents

WITH

CIVIL APPLICATION NO. 2299 OF 2016

IN

FIRST APPEAL (STAMP) NO. 19110 OF 2015

The Executive Engineer
Madhyam Prakalp, Nashik

..Appellant

versus

Mr. Pandharinath P. Bhoje
(Decd. Lrs.) Bhivsan P. Bhoje & ors.

..Respondents

WITH

CIVIL APPLICATION NO. 2301 OF 2016

IN

FIRST APPEAL (STAMP) NO. 18998 OF 2015

The Executive Engineer
Madhyam Prakalp, Nashik

..Appellant

versus

Soma Chandar Mondhe and
Rajaram Chandar and ors.

..Respondents.

Ms Chaitrali Deshmukh for Appellant.
Ms Ashvini Takalkar – AGP for the 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] In all these matters, the appellants have taken out civil applications for condonation of delay. Since, they are not objected to, by consent, the delay is condoned. The civil applications are disposed of.

2] Ms Deshmukh, learned counsel states that in these matters Ms Bhavna R. Khemani has filed the Vakalatnamas. She submits that Ms Bhavna R. Khemani is unable to remain present but the appellant have given authority letter to Ms Deshmukh to appear in these matters and to present 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.

3] Ms Deshmukh, learned counsel for the Executive Engineer Madhyam Prkalp (Acquiring Body), the appellant herein, on basis of instructions, makes a statement that the appellant wishes to withdraw these appeals and honour the awards made by the Reference Court.

4] Mr. Ahuja, learned counsel for the respondents – claimants confirms that none of the respondents – claimants have filed any cross appeals or cross objections in these matters and further, that they do not intend to do so in future.

5] Ms Takalkar, learned AGP submits that she can have no objection to the withdrawal of the appeals by the Acquiring Body – Appellant.

6] The Reference Court is however directed to verify the identity of the claimants / their representatives at the stage of execution / permitting withdrawal of compensation, should such occasion arise. Necessary endorsement to be made in this regard at the stage of execution / permitting withdrawals.

7] The appellant shall be entitled to refund of court fees in terms of Rules in this regard.

8] In view of the aforesaid, these appeals are also disposed of. Necessary Awards to be drawn up in the matters.

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**