

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL (ST) NO. 23847 OF 1997
AND
CIVIL APPLICATION NO. 3587 OF 2001

The State of Maharashtra	.. Appellant
vs.	
Suresh M. Jadhav	.. Respondent

Mr. Y. Y. Dabke for the Appellant.
Mr. V.B. Rajure for the Respondent.

CORAM : M. S. SONAK, J.
DATE : 30 JANUARY 2017.

P.C. :-

1] With the consent of and at the request of learned counsel for the parties, the appeal is taken up for final disposal.

2] Learned counsel for the parties placed on record a copy of common judgment and order dated 2 April 2009 made in batch of first appeals including First Appeal No. 941 of 1997 and First Appeal No. 1107 of 1997 and other matters.

3] Learned counsel for the parties agree that the subject matter of the said first appeals was the same reference award which is the subject matter of the present appeal. They point out that the said first appeals were however, lodged by Ichalkaranji Municipal

Council, which is the authority for whose purposes the acquisition had been put into motion. They point out that the said appeals have been partly allowed and the compensation has been determined. In view of such determination, nothing survives for decision in the present appeal.

4] The present appeal is therefore, disposed of in the light of judgment and order dated 2 April 2009 made in batch of First Appeal Nos. 941 and 1107 of 1997 and other matters. It is noted that First Appeal No. 1107 of 1997 was instituted by Ichalkaranji Municipal Council, wherein Suresh M. Jadhav was styled as respondent No.1 and the State was styled as respondent No.2. In the present appeal also, Mr. Suresh M. Jadhav is styled as the respondent.

5] The civil application for stay does not survive and the same is also disposed of.

(M. S. SONAK, J.)