

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 531 OF 2011

The State of Maharashtra	..	Appellant
vs.		
Shri Pundlik Damu Tidke & Ors.	..	Respondents

Mr. Yogesh Dabke – AGP for Appellant.

CORAM : M. S. SONAK, J.
DATE: 20 FEBRUARY 2017

P.C :

1] This Appeal has been instituted by the State challenging the judgment and award dated 27 March 1995.

2] The appeal stands abated as against the legal representatives of respondent nos. 2 and 4. Respondent no. 2 is stated to have expired on 8 November 2011 and respondent no. 4 has expired about 10 years back as per the remark of the Bailiff. Till date, no steps have been taken to bring on record the legal representatives of said deceased respondents.

3] The amount involved in this appeal is Rs.42,500/-. The matter relates to the year 1998. It is not possible to proceed against the remaining respondents only as otherwise there is a possibility of contradictory awards. Connected appeals have also been

dismissed. Accordingly, this appeal is also dismissed.

4] The dismissal of this appeal, may not be taken as approval of the rate awarded by the Reference Court.

(M. S. SONAK, J.)

Chandka