

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BEFORE THE NATIONAL LOK ADALAT

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1466 OF 2017

IN

FIRST APPEAL (STAMP) NO. 29459 OF 2016

The Executive Engineer

Karanjvan Dam,

Division, Nashik

..Appellant

versus

Mr. Suka Guna Bendkoli (Deceased)

Mr. Anandrao S. Bendkoli and ors.

..Respondents

Ms Chaitrali Deshmukh for Appellant.

Ms Ashvini Takalkar, AGP – 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 this matter, the appellant has taken out civil application for condonation of delay. Since, the application is not objected to, by consent, the delay is condoned. The civil application is disposed of.

2] Ms Deshmukh, learned counsel for the appellant-applicant (Acquiring Body), the appellant herein, on basis of instructions, makes a statement that the appellant wishes to withdraw the appeal and honour the awards made by the Reference Court.

3] Mr. Ahuja for the respondents – claimants confirms that none of the respondents – claimants have filed any cross appeals or cross objections in this matter and further, that they do not intend to do so in future.

4] Ms Takalkar, learned AGP for the State submits that she can have no objection to the withdrawal of the appeal by the Acquiring Body – Appellant.

5] 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.

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

7] In view of the aforesaid, this appeal is also disposed of. Necessary Award to be drawn up in this matter.

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16-caf-1466-17 in fast-29459-16

8] Since the appeal is 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**