

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BEFORE THE NATIONAL LOK ADALAT

CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 427 OF 2015

The Executive Engineer
Kadawa Canal Division, Nashik

..Appellant

vs

The State of Maharashtra & Ors.

..Respondents

Ms Chaitrali Deshmukh i/b. Ms Bhavan Khemani for Appellant.

Ms A. A. Takalkar – AGP for State.

Mr. S. P. Borade 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 this matter Ms. Bhavana R. Khemani has filed the vakalatnama. 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 this matter. 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] Ms Deshmukh, learned counsel appearing for the appellant, on instructions, makes a statement that the appellant wishes to withdraw this appeal and honour the award made by the Reference Court.

3] Ms Takalkar, the learned AGP, on instructions, states that she has no objection to the withdrawal of the appeal by the appellant.

4] The learned counsel for the respondents-claimants confirms that none of the respondents – claimants have instituted any cross appeals / cross objections in this matter and further, they do not intend to do so.

5] 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.

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

7] The appeal is accordingly disposed of as withdrawn. Necessary awards be drawn in the matters.

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**