

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BEFORE THE NATIONAL LOK ADALAT

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 542 OF 2015

IN

FIRST APPEAL (STAMP) NO. 31741 OF 2014

The Executive Engineer

Karanjawan Dam Division

..Appellant

vs

Navaji Ramchandra Bendkoli & Anr.

..Respondents

WITH

CIVIL APPLICATION NO. 548 OF 2015

IN

FIRST APPEAL (STAMP) NO. 31754 OF 2014

The Executive Engineer

Karanjawan Dam Division

..Appellant

vs

Bhauraj Tryambak Bendkoli & Ors.

..Respondents

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

Mr. A. A. Palkar – AGP for 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 both the matters, the appellant has taken out civil applications for condonation of delay. Since, they are not objected to, by consent, the delay is condoned. Civil applications are disposed of.

2] Ms Deshmukh states that in these matter Ms Bhavana R. Khemani has filed the vakalatnamas. 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.

3] Ms Deshmukh, learned counsel appearing for the appellant, on instructions, makes a statement that the appellant wishes to withdraw these appeals and honour the Awards made by the Reference Court.

4] Mr. Palkar, the learned AGP, on instructions, states that he has no objection to the withdrawal of the appeals by the appellant.

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

6] 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.

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

8] The appeals are accordingly disposed of as withdrawn. Necessary awards be drawn 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**