

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

FIRST APPEAL NO.949 OF 2016

[The Executive Engineer, Medium Irrigation Project Division No.1, VIDC, Chandrapur .vs.
 Suresh Laxman Deharkar and one]

 Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

CORAM : KUM. INDIRA JAIN, J.
DATED : AUGUST 28, 2017.

Shri S.G. Jagtap and Shri S.S. Godbole,
 learned counsel for appellant, submit that as
 appellant has engaged another counsel they may be
 discharged.

Smt. Jayshree J. Alkari h/f Shri V.G.
 Palshikar, learned counsel, submits that Shri V.G.
 Palshikar has instructions to appear on behalf of
 appellant.

Shri S.G. Jagtap and Shri S.S. Godbole,
 learned counsel, are discharged from appearing on
 behalf of appellant.

CIVIL APPLICATION NO.3391/2017

Heard Ms. Kirti Satpute, learned counsel
 for applicants-respondent nos.1 to 4, Shri A.D.
 Sonak, learned A.G.P. for respondent no.5 and Smt.
 Jayshree J. Alkari h/f Shri V.G. Palshikar, learned
 counsel appellant.

This appeal takes an exception to the
 judgment and award dated 28.8.2014 passed by the
 Civil Judge, Senior Division, Warora in LAC

No.759/2008 (Old No.52/2005) thereby partly allowing the reference under Section 18 of the Land Acquisition Act.

Acquiring Body, being aggrieved thereof, has filed the instant appeal.

Learned counsel for respondent nos.1 to 4 submits that First Appeal No.470/2017 arising out of the same award has been dismissed by this court and in view of dismissal of the said appeal, present appeal also needs to be disposed of. Copy of judgment in First Appeal St. No.12253/2015 has been placed on record.

Learned counsel for appellant does not dispute the fact of dismissal of First Appeal No.470/2017 (St. No.12253/2015).

In view of dismissal of first appeal arising out of the same award, present appeal does not survive. Hence, First Appeal No.949/2016 stands dismissed. No costs.

JUDGE