

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

951 FIRST APPEAL (ST) NO. 567 OF 2016

THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION NO.1,
AURANGABAD AND ANR
VERSUS
BHAGAJI GOMAJI SUSTE

...
Mr. Gulab B. Rajale, Advocate for applicants
Mr. S. K. Adkine, Advocate for respondent
...

CORAM : SUNIL P. DESHMUKH, J.

DATED : 23rd MARCH, 2018.

Order :-

1. Leave to amend. Amendment be carried out forthwith.
2. Learned counsel for parties are *ad idem* that present first appeal is left out from the group of first appeal No. 4244 of 2016 and companion matters, which had arising from the same award, same notification and also from same village and they have been decided under a common judgment by the land acquisition reference Court. It is further being referred to that first appeal No. 4244 of 2016 and companion matters have been dismissed on 23-01-2018 by hon'ble single judge.
3. Learned counsel for the respondent further fairly conceded to the position that matter would be required to be given similar treatment in view decision in group of first appeals bearing No.

4244 of 2016 and companion matters.

4. In the circumstances, order dated 23-01-2018 shall be deemed to be part and parcel of present first appeal and same shall be deemed to have been reiterated in the matter.

5. As such, present first appeal is also dismissed in view decision in group of first appeals bearing No. 4244 of 2016 and companion matters on 23-01-2018.

6. Pending civil applications accordingly stand disposed of

[SUNIL P. DESHMUKH]
JUDGE

MTK.