

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

**912 CIVIL APPLICATION NO. 6769 OF 2018
IN FAST/2872/2018 CA/6772/2018 IN FAST/2911/2018
WITH CA/6775/2018 IN FAST/3168/2018 WITH
CA/6778/2018 IN FAST/3181/2018 WITH CA/6781/2018 IN
FAST/3177/2018 WITH CA/6784/2018 IN FAST/2905/2018
WITH CA/6787/2018 IN FAST/2928/2018 WITH
CA/6790/2018 IN FAST/2918/2018 WITH CA/6793/2018 IN
FAST/3173/2018**

THE G.M.I.D.C, AURANGABAD THR THE EX. ENGINEER,
OSMANABAD MINOR IRRIGATION DIV. O

VERSUS

BALU SADHU GIRI

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Advocate for Applicant : Mr. P.R. Tandale

Advocate for Respondent : Mr. L.C. Patil

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CORAM : P.R. BORA, J.

DATED : 12th OCTOBER, 2018.

PER COURT:-

. Heard Shri Tandale, the learned counsel appearing for the applicant and Shri. L.C. Patil, the learned counsel appearing for the respondent i.e. original claimant.

2 Shri Patil has submitted that in some of the matters though he has not caused his appearance, he has instructions to appear in all those matters and he will file his vakalatnama in the matters in which it is not yet filed. It is the contention of the applicant that in reference

(2)

application, Godavari Marathwada Irrigations Development Corporation was not made party and as such it could not duly defend the said reference application. The impugned judgment delivered in the land acquisition reference demonstrates that GMIDC was not the respondent in the said matter. The State Government was only respondent and the Executive Engineer, Minor Irrigation Division, Osmanabad was the second respondent.

3. In the aforesaid circumstances, the learned counsel for the claimants conceded for allowing the present applications. In view of the above, the following order is passed:

ORDER

- i) The applications are allowed in terms of prayer clause (A).
- ii) The applications seeking leave to appeal thus stand allowed and disposed of.

(P.R. BORA, J.)