

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

FIRST APPEAL NO. 653 OF 2009

The Executive Engineer
Latur Medium Project Division,
Latur.

Appellant

Versus

The State of Maharashtra
& others

Respondents

Mr. Ruturaj Patil, advocate for appellant.
Mr. A.M. Phule, AGP for respondent no. 1.
Mr. D.R. Jaybhar, advocate holding for Mr. L.S. Shaikh, advocate
for respondents 2(1) to 2(6)

CORAM : M.S. SONAK, J.

DATE : 1st FEBRUARY, 2018

PER COURT:

1. Learned counsel for the parties submit that the issue involved in this appeal stands covered by the judgment and order dated 02.05.2016 made by this Court in First Appeal No. 922/2009 and connected matters.

2. In view of the aforesaid and for the reasons recorded in judgment and order dated 02.05.2016 in First Appeal No. 922/2009 and connected matters, this appeal also stands dismissed.

3. Interim order, if any, stands vacated.

4. Pending civil application, if any, does not survive and stands disposed of.

(M.S. SONAK, J.)

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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 1318 OF 2018 IN
FIRST APPEAL NO. 653 OF 2009

Narayan Dashrath Bhure
(Deceased through LRs)

Applicants

Versus

The State of Maharashtra
& another

Respondents

Mr. D.R. Jaybhar, advocate holding for Mr. L.S. Shaikh, advocate
for applicants.

Mr. A.M. Phule, AGP for respondent no. 1.

Mr. Ruturaj Patil, advocate for respondent no. 2.

CORAM : M.S. SONAK, J.

DATE : 1st FEBRUARY, 2018

PER COURT:

1. In view of dismissal of the first appeal, application for withdrawal of compensation amount is allowed. Applicants are permitted to withdraw the amount deposited by original appellant int his Court, together with interest which may have accrued thereon, unconditionally.

2. Civil application stands disposed of.

(M.S. SONAK, J.)