

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

15 FIRST APPEAL NO.1110 OF 2012

ASHOK KUMAR KACHRULAL MUNDADA
VERSUS
THE STATE OF MAH AND ORS

...
Advocate for Appellant : Mr. Nagarkar Kiran M.
Mr. KB Jadhavar, AGP for Respondents: 1 & 2.

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CORAM : P.R. BORA, J.
Dated: October 15, 2018

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PER COURT :-

1. Shri Nagarkar, learned counsel appearing for appellant, submitted that the judgment and award which is challenged by the appellant in the present appeal was also challenged by the acquiring body by filing First Appeal St. no. 9076/2012. The learned counsel further submitted that the said appeal has been disposed of by this Court, vide order passed on 20th December, 2013 and the Reference Application is remitted back to the Reference Court for deciding it afresh. In the circumstances, the learned counsel submitted that the appeal filed by the appellant, i.e. original claimant, cannot be proceeded further. He, therefore, seeks leave to withdraw the present appeal with permission to file fresh appeal against the fresh decision, if it is

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not to the satisfaction of the appellant original claimant. Leave granted as prayed for. The appeal stands disposed of as withdrawn with liberty as prayed for.

2. Court fee be refunded to the appellant in accordance with law.

(P.R. BORA, J.)

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