

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

FIRST APPEAL NO.3513 OF 2016
WITH CA/12609/2015 IN FAST/28594/2015 WITH CA/12610/2015
IN FAST/28594/2015 WITH CA/12613/2015 IN FAST/28758/2015
WITH CA/12614/2015 IN FAST/28758/2015 WITH FA/3514/2016
WITH FA/4383/2016 WITH FA/4384/2016 WITH FA/4385/2016

THE EXECUTIVE ENGINEER, MAJALGAON CANAL, DIVISION NO.10,
PARBHANI AND OTHERS. ...APPELLANTS..

VERSUS

NIVRUTTI BAPU KHANDARE DIED THR HIS LRS GAJABAI AND
ANOTHER. ...RESPONDENTS..

...

Advocate for Appellants : Patil Ruturaj C.

Advocate for Respondent nos.1 & 2 : S.V. Kuptekar in FA 3513/16 & 3514/16.

Shri Arvind Deshmukh, Advocate for respondent no.1 in CAs 12609/15, 12613/15 & FA 4385/16.

Shri N.K. Tungar, Advocate for respondent no.1 in FAs
4383/16 & 4384/16.

Shri A.M. Phule, AGP for the State.

CORAM: M.S. SONAK, J.

DATE: 16.02.2018

ORDER :

1] Learned counsel for the appellants, on the basis of written instructions from the appellants, seeks leave to withdraw these appeals / applications. The written instructions are taken on record and marked as 'X' for the purpose of identification.

2] The written instructions have been issued since it is found that the enhancement granted by the Reference

Court is well within the limits specified in the Government resolutions dated 3.11.2016 and 23.2.2017.

3] In view of above, the appeals and the civil applications are permitted to be withdrawn and disposed of as such.

4] The appellants / applicants shall be entitled to refund of Court fees in accordance with the rules as also the decision of this Court in *Sanjeevkumar Harakchand Kankariya v. Union of India & others* (2015 (2) Mh.L.J., 157).

5] In view of disposal of the appeals / applications, the amount of compensation deposited by the appellants / applicants in this Court is permitted to be withdrawn by the respondent – claimants. It is pointed out that portion of this compensation has already been withdrawn by the respondent – claimants. Needless to add that the withdrawal shall be alongwith interest that has accrued on the deposited amount.

(M.S. SONAK, J.)