

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BEFORE THE NATIONAL LOK ADALAT
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1776 OF 2013 IN
FIRST APPEAL ST.NO.3596 OF 2009 AND

The State of Maharashtra .. Appellant
Versus
Waman Kuthaji Gharat .. Respondent

Mr.A.R.Patil, Addl.G.P for the Applicant/Appellant.

CORAM : A.S.OKA, J (HEAD OF THE PANEL)
A.M.CHANDEKAR, PROTHONOTARY AND
SENIOR MASTER, MEMBER AND
M.S.LONE, DEPUTY REGISTRAR, MEMBER
DATED : 14TH JULY 2018

P.C.

1 This is an application for condonation of delay in preferring First Appeal St.No.3596 of 2009. The First Appeal takes an exception to the Award made by the Reference Court in L.A.R.No.295 of 2000. The learned Addl.G.P states that a proposal was submitted to accept the impugned Award by way of settlement which is passed in L.A.R.No.295 of 2000. However, in the letter dated 30th June 2018 addressed by the Law and Judiciary Department to the learned Addl.G.P. which is placed on record, stamp number of the present appeal is erroneously mentioned as 3596 of 2001 instead of 3596 of 2009. Therefore, he seeks permission to withdraw the appeal as the Government has accepted the rate fixed under the impugned Award. The learned Addl.G.P states that after verification, it is found that there is a decision taken to withdraw the appeal preferred against the Judgment and Award made in L.A.R.No.295 of 2000.

2 Hence, this Civil Application is disposed of as

withdrawn. Hence, the Appeal need not be registered as the delay is not condoned. If may be treated as disposed as withdrawn for the purposes of refund. The appellant will be entitled to refund of Court fees as per the Rules. Civil Application No.3831 of 2017 does not survive and the same is also disposed of.

(A.S. OKA, J)
HEAD OF THE PANEL

Shubhashri
Shridhar
Pathak

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Shubhashri Shridhar
Pathak
Date: 2018.07.24
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(A.M.CHANDEKAR)
MEMBER

(M.S.LONE)
MEMBER