

VPH

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BEFORE THE NATIONAL LOK ADALAT
CIVIL APPELLATE JURISDICTION

FIRST APPEAL No. 185 OF 1999
WITH
CIVIL APPLICATION No. 1626 OF 1999

The State of Maharashtra ... Appellant
Vs.
Soma Anaji Gaikwad & Anr. ... Respondents

Ms. Jyoti S. Lohokare, AGP for the Appellant – State.

Ms. Chaitrali Deshmukh, for the Acquiring Body.

Mr. Rahul Motkari, for the Respondent claimant.

Mrs. Surekha Chavan, Dy. Collector (Land Acquisition), Minor
Irrigation, Nashik.

Mr. M. S. Chaudhari, Ex. Engineer, Malegaon Irrigation Division,
Malegaon.

CORAM : A. M. DHAVALA, J. (HEAD OF THE PANEL)
S. M. RATNAKAR (RETIRED DISTRICT JUDGE)
M. S. LONE, (DEPUTY REGISTRAR)

DATE : SEPTEMBER 8, 2018

PC :-

1. Learned advocates appearing for the parties have
tendered consent terms, which are taken on record and marked

“X” for identification. Consent terms are signed by both the parties and their respective advocates. Learned advocate Ms. Chaitrali Deshmukh submits that the State has already deposited the amount. Learned AGP for the Appellant and the advocate for the acquiring body agree that the compensation awarded is less than four time and is governed by the government notification. Hence, learned AGP for the appellant seeks leave to withdraw the appeal. Learned advocate for the claimants submits the claimants have no desire to file appeal for enhancement and therefore, he has no objection for withdrawal of the appeal. In view of this, first appeal is disposed of as withdrawn in terms of consent terms. There shall be court-fee refund as per rules.

2. Pending civil application filed in the appeal does not survive and is accordingly disposed of.

Sd/-
[M. S. LONE]
MEMBER

Sd/-
[S. M. RATNAKAR]
MEMBER

Sd/-
[A. M. DHAVALE, J.]