

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

FIRST APPEAL NO.254/2012

Executive Engineer, Bembla Canal Division, (VIDC) Yavatmal .vs. Sachin s/o
Ashokchand Tated and Ors.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. M. A. Kadu, Advocate for appellant.
Mr. K. S. Narwade, Advocate for respondent no.1.
Mr. A. Balpande, A.G.P. for respondent nos. 2 and 3.

CORAM : V.M. DESHPANDE, J.
DATED : OCTOBER 31, 2018

By the present appeal, the appellant questions correctness or otherwise of judgment and decree passed by learned 2nd Jt. Civil Judge Senior Division, Yavatmal in Land Acquisition Case No.464/2003 dated 19.07.2011 whereby the Court below partly allowed the reference application under Section 18 filed by respondent no.1 and fixed true market price of the land so acquired at the rate of Rs.1,42,000/- per hectare.

The present appeal was admitted by this Court on 20.06.2012. In the appeal, respondent no.1 also filed cross-objection i.e. Cross Objection No.26/2012 and the said Cross Objection is also admitted on 19.10.2012. During the pendency of the present appeal, Pursis Stamp No.14848/2018 is filed by the appellant. Along with pursis, written instructions are given to Mr.Kadu, learned counsel for appellant for withdrawal of appeal.

In view of pursis, the appeal filed on behalf of the appellant is disposed of as withdrawn. Needless to mention that impugned order stands confirmed insofar as grant of compensation at the rate of Rs.1,42,000/- per hectare is concerned.

Cross Objection filed on behalf of respondent to continue and it will be decided in accordance with law and as per its turn. Needless to mention that the appellant will be entitled to refund of the Court fee as per rules.

JUDGE

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