

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

C.A.O. NO.802/2018
IN
M.C.A. STAMP NO.5416/2018
IN
C.A.F. NO.1547/2015
IN
FIRST APPEAL STAMP NO.4559/2015 (R.C. NO.517/2017)

Vidarbha Irrigation Development Corporation, through its Executive Engineer,
Upper Wardha Canal Division No.3, Dhamangaon, Distt. Amravati

..Vs..

Sau. Sunanda Subhashrao Dhok and others

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

Court's or Judge's orders

Shri Vinay Dahat, Advocate h/f Shri J.B. Kasat, Advocate for the applicant.
Mrs. Mrunal S. Naik, A.G.P. for respondent Nos.2 to 4.

CORAM : Z.A. HAQ, J.

DATE : 12.9.2018.

Accepting the explanation given in the application, delay of 307 days in filing miscellaneous civil application is condoned, order passed by this Court on 17th March, 2017 is recalled and first appeal alongwith C.A.F. No.1547/2015 is restored. The civil application and miscellaneous civil application are **allowed** accordingly. No costs.

FIRST APPEAL STAMP NO.4559/2015 (R.C. NO.517/2017)

Pursis Stamp No.3251/2018 is filed on behalf of the appellant stating that as the compensation granted

by the reference Court is not more than four times of the rate of ready reckoner, the appellant seeks permission to withdraw the appeal. The appeal is **disposed** as withdrawn. No costs.

Court fee, if any, be refunded as per rules.

The amount deposited by the appellant with Registry of this Court and lying in deposit, alongwith interest on it, if any, be given to the respondent No.1 / claimant as per the impugned award.

JUDGE

Tambaskar.