

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

CIVIL APPLICATION (CAF) NO. 1270 OF 2018

IN

FIRST APPEAL NO.253 OF 2016

(EE, MINOR IRRIGATION DN, VIDC....VS.. SUDHATAI BABAN CHAWLE & OTH.)

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

Court's or Judge's orders

Ms J. Alkari, Advocate for Appellant.
Ms Kirti Satpute, advocate for Respondent Nos.1 & 2.
Ms Mrunal Barabde, A.G.P. for Respondent No.3.

CORAM : Z.A.HAQ, J.

DATED : MAY 02, 2018.

By this application the respondents/claimants pray that the appeal filed by the acquiring body be dismissed as the award passed by the reference Court in respect of the land which was acquired by the same notification and for the same project and situated in the same village is maintained by this Court. It is pointed out that the judgments given in First Appeal Stamp No.12253 of 2015 (First Appeal No. 470/2017) and First Appeal No. 252/2016 conclude the controversy.

The learned advocate appearing for the appellant has not disputed the factual aspect and the submission made by the advocate for the claimants.

For the reasons recorded in the judgment delivered in First Appeal No. 252 of 2016 and First Appeal No. 12253/2015 (First Appeal No. 470/2017), this first appeal stands **dismissed**.

In the circumstances, the parties to bear their own costs.

The amount deposited by the appellant and lying with the Registry of this Court along with interest on it be deposited in joint account of the respondent Nos. 1 and 2.

The civil application is also **disposed** accordingly.

JUDGE

RRaut..