IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

944 CIVIL APPLICATION NO.1438 OF 2016
IN FAST/3153/2016

THE EXECUTIVE ENGINEER,NANDUR, NANDUR MADHMESHWAR CANAL DIV. VAIJAPUR
VERSUS
RANGNATH JAIWANTA KHOJE AND ORS.
...
Advocate for Applicant : Shri R. D. Biradar
AGP for Respondent State : Shri A.M.Phule
Advocate for Respondent Nos.1 & 2 : Shri V.G.Kodale h/f. Shri V.D. Gunale
...
WITH CA/2342/2019 IN FAST/3153/2016
WITH CA/1439/2016 IN FAST/3153/2016
...
CORAM : P.R.BORA, J.
DATE: 6th February, 2019

PER COURT:-

1 Delay caused in filing the present appeal is condoned with consent of learned Counsel appearing for the respondents – claimants. Appeal be registered in accordance with law. On registration of appeal, issue notice to the respondents. Shri V.G.Kodale h/f. Shri V.D.Gunale, learned Counsel waives service of notice for respondents – claimants. Shri A.M.Phule, learned AGP waives service of notice for respondent State. Service complete.

2 With consent of the learned Counsel for the parties, appeal is taken up for hearing.

3 The learned Counsel for the applicant – appellant, the learned Counsel for the respondents and learned AGP for the respondent State, have jointly submitted that the present appeal is arising out of the common Judgment and award passed by the Joint Civil Judge, Senior Division, Aurangabad in Land Acquisition Reference (LAR) No.751 of 1996 and connected LARs decided on 28.01.2011. The learned Counsel submitted that this Court vide the order passed on 08.12.2016, has dismissed the connected appeals arising out of the same common Judgment and award. The learned Counsel further submitted that the present matter alone was left out. The learned Counsel has therefore prayed for passing appropriate orders in the present appeal also.

4 In view of the fact that the common Judgment and award, out of which the present appeal is arising, has been dismissed by this Court, the present appeal also stands dismissed. Pending Civil Applications stand disposed of.

5 The amount deposited by the appellant in this Court, is permitted to be withdrawn by the claimants with interest accrued thereon.

(**P.R.BORA**)
JUDGE

SPT