

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.  
BENCH AT AURANGABAD.**

**931 CIVIL APPLICATION NO.13245 OF 2015  
IN FAST/28693/2015 WITH CA/13091/2015 IN  
FAST/29125/2015 WITH CA/13092/2015 IN  
FAST/29125/2015 WITH CA/13246/2015 IN  
FAST/28693/2015 WITH CA/13247/2015 IN  
FAST/29032/2015 WITH CA/13248/2015 IN  
FAST/29032/2015 WITH CA/14370/2017 IN  
FAST/28693/2015 WITH CA/14372/2017 IN  
FAST/29125/2015 WITH CA/14376/2017 IN  
FAST/29032/2015**

**EXECUTIVE ENGINEER, MAJALGAON CANAL DIVISION NO.10  
PARBHANI, UNDER GMIDC AURANGABAD AND OTHERS  
VERSUS  
GANESH KISHANRAO DHAWALE AND ANOTHER**

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Advocate for Applicants : Shri B.R. Surwase  
Advocate for Respondents No.1 & 2 : Shri M.P. Kale

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**CORAM : PR. BORA, J.**  
Dated: February 14, 2019

PER COURT :

1. When these matters are taken up for hearing, Shri Surwase, learned Counsel appearing for the appellant - Acquiring Body submitted that, the connected appeals arising out of the same acquisition proceedings are already withdrawn by the Acquiring Body. Learned Counsel, on instructions, submitted that, the Acquiring Body does not intend to prosecute these matters further.

2. In the present appeals, since delay has occasioned in filing the appeals, the delay condonation applications are also filed by the Acquiring Body and the same are pending for consideration.

3. In view of the fact that, now the Acquiring Body does not intend to prosecute these matters further and has sought leave to withdraw the present appeals, the following order is passed.

#### ORDER

(i) The applicant – Acquiring Body is permitted to withdraw the appeals on stamp numbers filed by it along with the applications for condonation of delay and stay. Consequently, the appeals on stamp numbers as well as the applications for condonation of delay and applications for stay stand disposed of since withdrawn.

(ii) The amount deposited by the Acquiring Body in this Court in the appeals on stamp numbers is permitted to be withdrawn by the claimants in the respective appeals in terms of respective Awards, if already the same is not withdrawn by them.

(iii) The applicant – Acquiring Body is entitled for the refund of the Court fees in accordance with law.

(iv) Pending Civil Application/s for withdrawal of amount stands disposed of.

**( PR. BORA, J. )**

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