

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

923 FIRST APPEAL NO.2206 OF 2017

THE EXECUTIVE ENGINEER, MAJALGAON KALWA, DIVISION NO.10,
PARBHANI AND OTHERS

VERSUS

LAXMAN KERBA SAHAJRAO DIED THR HIS LRS ABHAIBAI AND OTHERS

...

Mr. R.C. Patil, Advocate for the appellants

Mr. N.K. Tungar, Advocate for the respondent Nos.1 to 3

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 10th JULY, 2019

PER COURT :

1 Learned Advocate for the appellants, on instructions from the appellants, seeks leave to withdraw this appeal since it is found that the enhancement granted by the reference Court is well within the limits specified in the Government resolutions dated 03.11.2016 and 23.02.2017.

2 In view of above, the appeal is permitted to be withdrawn and disposed of as such.

3 The appellants shall be entitled to refund of Court fees in

accordance with the rules as also the decision of this Court in **Sanjeevkumar Harakchand Kankariya vs. Union of India and others (2015 (2) Mh.L.J., 157)**.

4 In view of disposal of the appeal, the amount of compensation deposited by the appellants in this Court is permitted to be withdrawn by the respondents-claimants. It is pointed out that portion of this compensation has already been withdrawn by the respondents-claimants. Needless to add that the withdrawal shall be along with interest that has accrued on the deposited amount.

(Smt. Vibha Kankanwadi, J.)

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