

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

**2 CIVIL APPLICATION NO.1194 OF 2016
IN FAST/31715/2015**

**GMIDC THR THE EXE ENGINEER, JALNA IRRIGATION
DIVISION, JALNA AND ANOTHER**

VERSUS

BABASAHEB PUNJAJI KHARAT AND ANOTHER

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Advocate for Applicants : Smt Kalpalata Patil Bharaswadkar
Advocate for Respondent No.1 : Shri R.V. Gore, Shri A.D. Rakh
AGP for Respondent No.2 : Shri S.J. Salgare

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WITH

First Appeal (St.) No.31715 of 2015

CORAM : PR. BORA, J.

Dated: January 07, 2019

PER COURT :

1. Heard the learned Counsel appearing for the respective parties.

2. For the reasons stated in the application, which according to me are just and sufficient, the delay caused of 476 days in filing the appeal is condoned. Appeal be registered in accordance with law. On registration of the appeal, issue notice to the respondents. The learned Counsel appearing for the respondents waive service of notice for the respective respondents. Service complete.

3. The matter is immediately taken up for hearing. The learned Counsel appearing for the Acquiring Body has tendered across the bar the communication received to her from the Executive Engineer of the Acquiring Body. The same is taken on record and marked as Exh-X for the purpose of identification. The learned Counsel appearing for the Acquiring Body in view of the policy decision taken by the Government vide Government Resolution dated 03.11.2016 read with corrigendum dated 23.02.2017 and in view of the communication so received has sought leave to withdraw the present appeal.

4. The respondents do not have any objection for permitting such withdrawal.

5. In view of the submissions so made, the appeal is permitted to be withdrawn. The appeal stands disposed of since withdrawn.

6. The Court fee be refunded in accordance with law.
7. The amount of compensation deposited, if any, by the Acquiring Body in this Court is permitted to be withdrawn by the original claimant, if already not withdrawn.
8. Civil Application No.1194 of 2016 stands disposed of.

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

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