

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

C.A.O. NO.587/2018
IN
M.C.A. STAMP NO.20431/2017
IN
FIRST APPEAL STAMP NO.5323/2016

Rajendra Shivani Aande and another
..Vs..
The State of Maharashtra and others

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

Court's or Judge's orders

Shri A.S. Sonare, Advocate for the appellants.
Ms A.R. Kulkarni, A.G.P. for respondent Nos.1 and 2.

CORAM : NITIN W. SAMBRE, J.
DATED : 3.10.2019

1] Having heard Shri Sonare, learned Counsel for the appellant / land owner an issue of law is sought to be canvassed based on the provisions of Section 23 of the Land Acquisition Act. According to him, the reference ought not have been withdrawn. The Reference Court, according to him, has failed to appreciate the legal provisions referred supra.

2] Having regard to the fact that the appellant has every right and remedy to approach the same Court for correction of the mistake, it will be appropriate, in my opinion, to permit the appellants to withdraw the present proceedings with liberty to approach the Court of Civil Judge, Senior Division, Amravati for redressal of his

grievance. The appeal stands withdrawn accordingly with liberty, as above. No costs.

In view of the above, civil applications, if any, stand disposed of.

JUDGE

Tambaskar.