

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
BEFORE THE NATIONAL LOK ADALAT**

**FIRST APPEAL NO. 1209 OF 1998
WITH
CIVIL APPLICATION NO. 4349 OF 2010
IN
FIRST APPEAL NO. 1209 OF 1998**

The State of Maharashtra ... Appellant
Vs.
Mahipati Bhima Jathar ... Respondent

Mr.Yogesh Dabke, AGP for appellant-State.
Shri Ajay Pawar, Dy. Collector, Pune (SLAO) present.
Ms. Shivali D. Pardeshi, Dy. Executive Engineer, Chaskaman Division,
Pune present.

**CORAM : N.J. JAMADAR, J.
: V.R. KACHARE, Registrar (Judicial-II) &
P.K. NARDELE, O.S.D., Court Receiver
DATE : 8th FEBRUARY 2020**

P.C. :

1. The Deputy Collector (Land Acquisition No.13), Pune for appellant has filed withdrawal pursis seeking leave to withdraw the appeal. Shri Ajay Pawar, Deputy Collector, Land Acquisition No.13, Pune submits that the State does not desire to prosecute the appeal. He admits the contents of the withdrawal pursis and his signature thereon. The withdrawal pursis also bears the signature of Ms.Shivali D. Pardeshi, Dy. Executive Engineer of the acquiring body and the learned AGP for the State.

2. The withdrawal pursis is taken on record and marked 'A' for identification.
3. In view of the withdrawal pursis, the appeal stands disposed of as withdrawn.
4. Court fee refund be made as per rules.
5. In view of withdrawal of appeal, pending application, if any, also stands disposed of.
6. In view of withdrawal of the appeal, the original claimant-respondent or his legal representatives, in the event the original claimant/respondent is dead, shall be entitled to the amount deposited in the reference Court in terms of the award impugned therein.
7. In the event the original claimant/respondent is dead, the reference Court shall permit the legal representatives to bring them on record on the basis of an application supported by an affidavit, and thereafter, pass appropriate order to release the amount deposited in the Court, in accordance with law.

(P.K. NARDELE) (V.R. KACHARE) (N.J. JAMADAR, J.)