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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

INTERIM APPLICATION NO. 4156 OF 2021

IN

WRIT PETITION NO. 9882 OF 2015

Joma Dama Kadu

...Applicant

Versus

Deputy Collector (Acquisition)
& Ors.

...Respondents

Mr. Sachin Chavan i/by Mr. Shriram S. Kulkarni for
the Applicant.

Mrs. R.M. Shinde, AGP, for the Respondent – State.

**CORAM : PRASANNA B. VARALE &
S.M. MODAK, JJ.**

DATE : DECEMBER 20, 2021.

PER COURT :

1. By way of the present Interim Application, the applicant/petitioner prayed for deletion of the name of the applicant/petitioner namely, Joma Dama Kadu (Petitioner No. 18) in Writ Petition No. 9882 of 2015, and further prayed for withdrawal of the Writ Petition to the extent of present applicant/petitioner only and vacation of an interim order and further permission to withdraw

the compensation lying with the Special Land Acquisition Officer in respect of the present applicant/petitioner.

2. It is stated in paragraph 3 of the Application that the applicant – petitioner no. 18 is facing financial crisis and he is in need of money as such, he does not want to prosecute the Petition and he wants to accept the compensation. It is further stated that the applicant has orally informed his Advocate that he wants to withdraw the Petition with regards to his land and an affidavit to that effect is also submitted in this Court.

3. The statement made in paragraph 3 by applicant – petitioner no. 18 – Joma Damd Kadu, is accepted as an undertaking to this Court.

4. In view of the willingness expressed by the above referred applicant / petitioner for withdrawal of the Petition, the interim application is allowed in terms of prayer clause 'A'. Resultantly, the Writ Petition No. 9882 of 2015 is

allowed to be withdrawn in respect of present applicant / petitioner no. 18 – Joma Dama Kadu only.

5. Accordingly, the Petitioner to carryout the amendment in the Petition by deleting the name of Petitioner No. 18.

(S.M. MODAK, J.)

(PRASANNA B. VARALE, J.)