

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

FIRST APPEAL NO.94/2019

Maharashtra Industrial Development
Corporation, through its Chief Executive
Officer, Marol Industrial Estate,
Andheri (East), Mumbai, having its
Regional office at By-pass Road,
Amravati.

.....APPELLANT

...V E R S U S...

1. Muralidhar s/o Motiram Teli,
aged about 53 years, Occ. Agriculturist.

2. Raghunath s/o Motiram Teli
(Since deceased through LR's)

2-1.Smt. Ratnaprabha wd/o Raghunath
Teli (Khekade), aged about 42 years,
Occ. Household.

2.2.Pradeep s/o Raghunath Teli (Khekade)
aged about 22 years, Occ. Agriculturist,

Both r/o Malipua, Lakadganj,
Lahariya Gin, Behind Himmatlal Brothers,
Akola, Tq. Dist. Akola.

3. The State of Maharashtra through
Sub Divisional Officer and Land
Acquisition Officer, Akola,
Tq. & Dist. Akola.

...RESPONDENTS

Mr. M. M. Agnihotri, Advocate for appellant.
Ms T. Udeshi, A.G.P. for respondent no.3.

CORAM:- V. M. DESHPANDE, J.
DATED :- 17.11.2021

ORAL JUDGMENT

1. Mr. Agnihotri, learned counsel is representing the appellant and Ms Udeshi, learned A.G.P. is representing respondent no. 3. Though Mr. Mohta, learned counsel has filed his vakalatnama on behalf of original claimant, nobody is appearing.

2. By this appeal, the appellant is challenging the judgment and decree passed in Land Acquisition Case No.526/1997 dated 20.12.2011 passed by learned 2nd Jt. Civil Judge Senior Division, Akola.

This appeal was already admitted on 06.02.2019 and now pending for its final hearing.

3. Mr. Agnihotri, learned counsel for appellant would submit that connected first appeals arising out of the same notification under Section 32 of the M.I.D.C. Act are already dismissed by Court. He submits that some other first appeal arising out of the same notification are already withdrawn by the appellant. Mr. Agnihotri submits that he has instructions from the appellant to withdraw the present first appeal also.

His statement is accepted.

Consequently, the present appeal is disposed of as withdrawn. No order as to costs.

Needless to mention that the appellant will be entitled for refund of Court fee, as admissible.

JUDGE

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