

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

FIRST APPEAL NO.2011 OF 2012

**THE EXECUTIVE ENGINEER, DHULE MEDIUM PROJECT
DIVISION 1.**

VERSUS

BHAUSAHEB UKHDU BHIL AND OTHERS

....

Mr. Ajay D. Pawar, Advocate for the Appellant
Mr. A.B. Chate, AGP for Respondent Nos. 2 and 3

....

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 02nd FEBRUARY, 2022

PER COURT:-

1. Mr. A.D. Pawar, learned counsel for the appellant and Mr. Chate, learned AGP for respondent nos. 2 and 3 are present. None present for respondent no.1, when matter is called out.

2. Mr. Pawar, learned counsel for the appellant / acquiring body submits that one group of the appeals arising out of the same project has been withdrawn by the acquiring body long back in the year 2016. Mr. Pawar, learned counsel seeks leave to place on record written instructions received from the appellant / acquiring body.

3. Leave granted. Written instructions received from the appellant / acquiring body regarding withdrawal of the appeal is taken on record and marked as 'X' for identification.

4. Mr. Pawar, learned counsel for the appellant / acquiring body seeks permission to withdraw the appeal. Mr. Chate, learned AGP for respondent nos. 2 and 3 has no objection to withdraw the appeal.

ORDER

(i) The appeal stands disposed of as withdrawn.

(ii) No order as to costs.

(iii) R & P, if any, be sent back to the reference Court.

(iv) The Court fees refund certificate be issued in favour of the appellant as per the rules and procedure.

[SHRIKANT D. KULKARNI]
JUDGE