

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

998. FIRST APPEAL NO.1095 OF 2002

The State of Maharashtra,
Through Collector, Ahmednagar.

.. **Appellant**
[Orig. Opponents]

Versus

Shri S.M.Karachiwala [deceased]
through his successors :

1. Shri Z.M.Karachiwala
2. Hatimbhai Gulam Abbas,
Age: 42 years, Occu.Business.
3. Shri A.H.Mohshine
[All Commissioner's of Kayumi
Estate, Ahmednagar]
4. The Secretary,
Rayat Shikshan Sanstha,
Dist. Satara.
5. The Principal,
Laxmibai Bhaurao Patil Madhyamik
Uchha Madhyamik Kanya Vidyalaya,
Ahmednagar.

.. **Respondents**

...

Mr.S.S.Dande, Advocate for the appellant.

Mr.L.B.Pallod, Advocate for respondent nos.1 to 3.

Mr.V.R.Dhorde, Advocate holding for Mr.R.N.Dhorde,
Senior Advocate, for respondent nos.4 and 5.

...

CORAM : S.G.DIGE, J.

DATE : 11.08.2022

PER COURT :

1] Heard the learned AGP for the appellant – State and the learned counsel for the respondents.

2] The learned AGP for the appellant – State and the learned counsel for the respondents submit that First Appeal No.35 of 2000 was filed by the College Authority for which the land was acquired by the appellant. The said First Appeal is compromised between the College Authority i.e. Secretary, Rayat Shikshan Sanstha, Satara and the Principal, Laxmibai Bhaurao Patil Madhyamik & Ucha Madhyamik Kanya Vidyalaya, Ahmednagar. The land of respondent nos.1 to 3 was acquired. The Reference Court has enhanced the amount, against which the appellant has preferred the present Appeal. Now the matter is settled between the College Authorities and respondent nos.1 to 3, hence, the matter can be disposed of in view of the consent

terms held between respondent nos.1 to 3 and respondent nos.4 and 5 dated 8th March, 2002.

3] The learned counsel for respondent nos.1 to 3 placed copy of the consent terms before this Court. It is taken on record and marked 'X' for identification.

4] In view of the consent terms, Appeal is disposed of.

5] In view of disposal of Appeal, Civil Application No.2446 of 2000 does not survive and same stands disposed of.

[S.G.DIGE]
JUDGE

DDC