

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

FIRST APPEAL NO.737 OF 1995

The State of Maharashtra

...Appellant

Versus

Narayan Soma Dalvi since
deceased through his legal heris-
1a. Smt. Sandhya Subhash Sawant
and Ors.

...Respondents

...

Mr. N.B. Patil, AGP for the Appellant-State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 14th JULY, 2022.

P. C. :-

1. This is an appeal under Section 54 of the Land Acquisition Act, 1894 assailing judgment dated 17/03/1994 in Land Reference No.18 of 1992.

2. The records reveal that the appeal was dismissed against Respondent No.1(c) on 15/11/2014. No application has been filed till date to recall the said order. Judgment and Award has attained finality as against Respondent No.1(c). The decree is joint and indivisible. In the event, the Appellant succeeds in the appeal, it will lead to

inconsistent decree, which is not permissible under law. Hence, the appeal as a whole stands dismissed.

(SMT. ANUJA PRABHUDESSAI, J.)