

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

FIRST APPEAL NO.238/2010

Vidarbha Irrigation Development Corporation, Through its Executive Engineer,
Bembla Project Division, Taq. & Dist. Yavatmal
...Versus...
Purushottam Ukandrao Jadhao (Appeal is abated)
The State of Maharashtra, Through the Collector, Yavatmal and another

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Shri A.B. Patil, Advocate for appellant
Shri M.A. Kadu, AGP for respondent nos.2 and 3

CORAM : AVINASH G. GHAROTE, J.

DATE : 13/12/2022

1. In the instant matter, the appeal already stands abated as against the original claimant/respondent no.1 – Purushottam Ukandrao Jadhav, by the order dated 11/01/2013 of the Registrar (Judicial). That being the position, the present first appeal which challenges the judgment of the learned Reference Court under Section 18 of the Land Acquisition Act, 1894, dated 06/10/2008 in Land Acquisition Case No.103/2005, cannot be decided, as on account of abatement against the respondent no.1/original claimant, the judgment of the learned Reference Court, cannot be interfered with.

2. That being the position, the first appeal stands dismissed on account of it having been abated.

(AVINASH G. GHAROTE, J.)

Wadkar