



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

CIVIL APPLICATION (F) NO. 1492 OF 2024
IN
FIRST APPEAL NO. 85 OF 2022

Executive Engineer, Nimna Wardha Kalwe Prkalp, Dist. Wardha
..VS..
Kawdu Palasram Vaitage and others

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

Court's or Judge's orders

Ms. I.P. Khisti, Advocate for appellant.
Ms. S.S. Wandile, Advocate for respondent No.1.
Mr. M.A. Kadu, AGP for respondent Nos.2 to 4.

CORAM : SANJAY A. DESHMUKH, J.
DATED : 27th JUNE, 2024

This is an application for dismissal of appeal.

2. Considering that the judgment passed in Land Reference No.142 of 2014, filed by the present claimant, came to be referred and relied in the Land Reference No.147 of 2014, but the said Land Reference No.147 of 2014 is not challenged, therefore, there is no substance in the appeal, the appeal deserves to be dismissed.

3. Hence, the application is **allowed** and disposed of.

FIRST APPEAL NO. 85 OF 2022

In view of order passed in the Civil Application (CAF) No. 1492 of 2024, the First Appeal No.85 of 2022 is **disposed of**.

2. Learned Advocate for the respondent No.1 prayed for disbursement of the balance amount deposited in the Reference Court as per the Award. Prayer of the learned Advocate for the respondent No.1 is allowed.

3. Permission is granted to respondent No.1 to withdraw the balance amount under Award deposited in the Reference Court by appellant along with accrued interest thereon.

(SANJAY A. DESHMUKH, J.)

Kirtak