

**IN THE NATIONAL LOK ADALAT PRESIDED OVER BY
HON'BLE SHRI JUSTICE P.R.BORA,
HELD ON 22nd APRIL, 2018.
AT HIGH COURT LEGAL SERVICES SUB-COMMITTEE AT AURANGABAD**

FA/1727/2016 WITH CA/14716/2017 IN FA/1727/2016 WITH
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CA/7572/2015 In FAST/5626/2015
With
CAST/33205/2017 In FAST/5626/2015

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OFFICER/S : Mr. Rajesh Baburao Govardhane,
Executive Engineer, MID No.2
Sangamner.

Advocates for respective Appellant/s : Mr. Giri Umakant P. and
Mr. Mane Dhairyashil M.

AGPs for respondent State : Mr. A.M.Phule, Mr.B.V.Virdhe &
Mr. S.S.Dande,

Advocate for respective Respondent/s : Mr. Bide Dnyaneshwar A.

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ORDER

1. Shri Rajesh Baburao Govardhane, Executive Engineer of the acquiring body i.e. appellant, is present before the Panel. The letter annexed with all the proposals dated 15th of March, 2018, addressed to the High Court Legal Services Sub Committee is tendered before the panel and is taken on record.

2. All these appeals are filed by the Executive Engineer, Minor Irrigation Division No.2, Sangamner, challenging the awards passed by the Reference Court under Section 18 of the Land Acquisition Act. It is informed that after filing of the appeals, as was directed by this Court, the amount of compensation as per impugned awards, has been deposited by the appellant Department. Now, it is submitted that in view of the Government policy, the acquiring body as well as the Government do not wish to pursue the matter further. It is also informed that the market rate as has been determined by the Reference

Court, is less than four times of the ready reckoner rates prevailing at the time of the acquisition of the said lands and, as such, in view of the Government Resolution dated 3rd of November, 2016, read with corrigendum dated 23rd February, 2017, the present appeals are not to be prosecuted further.

3. Learned Counsel for the respondents (Original claimants) is present before the panel. Learned Counsel submits that the claimants will not claim the interest of the period from the date of the order passed by the Court, directing the appellant to deposit the amount, till the date of deposit of the amount. Learned Counsel, however, submits that if there are certain mistakes in calculating the amount of interest of the past period, it may be kept open for the claimants to claim that much of the amount. It does not appear that the submission made by the learned Counsel is unfair.

4. In view of the submissions made as above, the above matters stand settled and stand disposed of. Delay caused in filing the present appeals, if any, stands condoned. Pending Civil Applications, if any, stand disposed of.

5. The amounts deposited in this Court by the acquiring body / State be transmitted to the respective Reference Courts so as to facilitate its withdrawal by the respective claimants.

6. It would be open for the claimants to withdraw the said amount by following usual procedure provided therefor from the Reference Court.

7. Court fees be refunded as per the Rules.

(K. C. SANT)
Advocate,
Member

(P. S. PARANJAPE)
D.J.(Retd.)
Member

(P. R. Bora, J.)
Head of the Panel

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Date: 22.04.2017
Place: Aurangabad.

AGP/-