

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

(1)

**WP nos.1716, 1727,  
4503 & 4504 of 2016**

**909 WRIT PETITION NO. 1716 OF 2016**

RATIRAM KASHIRAM PATIL AND OTHERS  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. V.B. Patil  
AGP for Respondent/State : Mr. A.R. Kale  
Advocate for Respondent No.5 : Mrs. Kutti Choudhary Chaitali R.

...

**WITH  
WP/1727/2016**

BHIKAN RAMA VARADE AND OTHERS  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. V.B. Patil  
AGP for Respondent/State : Mr. A.R. Kale  
Advocate for Respondent No.5 : Mrs. Kutti Choudhary Chaitali R.

...

**WITH  
WP/4503/2016**

THE EXECUTIVE ENGINEER  
VERSUS  
RATIRAM KASHIRAM PATIL AND OTHERS

...

Advocate for Petitioner : Mrs. Kutti Choudhary Chaitali R.  
AGP for Respondent/State : Mr. A.R. Kale

...

**WITH  
WP/4504/2016**

THE EXECUTIVE ENGINEER  
VERSUS  
BHIKAN RAMA VARADE AND OTHERS

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

(2)

**WP nos.1716, 1727,  
4503 & 4504 of 2016**

...

Advocate for Petitioner : Mrs. Kutti Choudhary Chaitali R.  
AGP for Respondent/State : Mr. A.R. Kale

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CORAM : R. M. BORDE & P.R. BORA, JJ.  
Dated: March 16, 2017

**PER COURT :-**

1. These petitions can be disposed of in view of the order passed in identical group of writ petitions, bearing No.9424/2015, and other companion petitions, decided by the Division Bench of this Court on 19th of July, 2016. The facts giving rise to the present petitions are exactly similar to the facts giving rise to the petitions of disposed matters i.e. Writ Petition No.9424/2015, and other connected matters.

2. The facts, reasons and the conclusion need not be again recorded, and suffice it to say that, for the reasons recorded by the Division Bench of this Court while disposing of WP No.9424/2015, and other companion matters, these petitions can also stand disposed of.

3. (a) The impugned awards passed by the Maha Lok Adalat are quashed and set aside.

(b) The Reference Court is directed to decide the Reference

agp/-

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

(3)

**WP nos.1716, 1727,  
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Applications presented by the claimants within a period of six months from the date of appearance of the parties before the Reference Court. The parties shall appear before the Reference Court on 27th of March, 2017.

(c) Counsel appearing for the petitioners in Writ Petition no.1716 of 2016 and 1727 of 2016 informs that the acquiring body has deposited the amount in pursuance to the award passed in the Lok Adalat in the District Court.

(d) The petitioners in Writ Petition Nos. 1716 of 2016 and 1727 of 2016, shall be permitted to withdraw 50 per cent of the amount out of the amount deposited by the acquiring body on condition of tendering an undertaking to the effect that in the event of failure of the Reference Applications, they will re-deposit the amount in the Reference Court within a period of three months from the date of such decision.

(e) In the event of success of applicants in Reference Court, and if the Reference Court directs enhancement in the amount of compensation, in excess of the amount already withdrawn by the claimant, the amount deposited by the acquiring body in the Reference Court shall be permitted to be withdrawn by the claimants / petitioners in Writ Petition Nos. 1716 of 2016 and

agp/-

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

(4)

**WP nos.1716, 1727,  
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1727 of 2016 in accordance with such decision.

(f) In the event the amount receivable by the claimants exceeds the amount determined by the Maha Lok Adalat, it will be open for the claimants to recover the said excess amount in accordance with the procedure prescribed in that behalf.

(g) It is made clear that all the contentions of the respective parties are kept open.

With the directions as above, the writ petitions are disposed of in above terms. No costs.

( P.R. BORA, J. )

( R. M. BORDE, J. )

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