

## IN THE HIGH COURT OF JUDICATURE AT BOMBAY

## BEFORE THE NATIONAL LOK ADALAT

## CIVIL APPELLATE JURISDICTION

## CIVIL APPLICATION NO. 2543 OF 2017

## IN

## FIRST APPEAL NO. 17667 OF 2017

Executive Engineer

Karanjvan Dharan Department, Nashik

..Appellant

versus

Smt. Anusaya D. Mondhe (deceased)

Nos.2 to 4 are the Legal Heirs so name deleted

and anr.

..Respondents

Ms Chaitrali Deshmukh for Appellant.

Mr. Yogesh Dabke – AGP for State.

Mr. Prakash Ahuja for Respondents – Claimants.

Ms V.M. Mali, Special Land Acquisition Officer No.2, Nashik, present

**CORAM :****M. S. SONAK, J.**

(HEAD OF THE PANEL)

: **C.D. GONGLE**, RETIRED

DISTRICT JUDGE, MEMBER &amp;

: **G.B. GURAV**, REGISTRAR

(JUDICIAL – II ) MEMBER

**DATE : 9<sup>th</sup> DECEMBER, 2017.****P.C. :-**

1] Since the civil application for condonation of delay is not objected to, delay is condoned and the civil application is disposed of, with consent.

2] The learned counsel for the parties hand in consent terms which are taken on record and marked as 'X' for the purposes of identification.

3] The consent terms have been signed by the parties and their Advocates. The Advocates have identified the signatures / thumb impressions of the parties.

4] The State Government / appellants has taken out a policy decision to settle cases where the compensation amount is within the limits prescribed in G.Rs. dated 3<sup>rd</sup> November 2016 and 23<sup>rd</sup> February 2017, to which the further buffer amount of Rs.50,000/- can be added.

5] In the present case, the compensation amount exceeds the overall limits by Rs.12,553/-. The respondents - claimants have however specifically agreed to waive of the excess amount of Rs.12,553/-. The learned counsel for the respondents – claimants has requested this Court to record such waiver and on such basis, dispose of the appeal by modifying the award.

6] Accordingly, the consent terms are taken on record and the appeal and the civil applications are disposed of in terms thereof.

7] Modified award is directed to be drawn out in terms of the consent terms.

8] The appellant shall be entitled to refund of court fees in terms of the Rules as permissible.

9] Since the appeal is now disposed of, the pending civil applications, if any, do not survive and the same are also disposed of.

**(G. B. GURAV)**  
**MEMBER**

**(C.D. GONGLE)**  
**MEMBER**

**(M.S. SONAK,J.)**  
**HEAD OF THE PANEL**