

IN THE HIGH COURT OF JUDICATURE AT MUMBAI
BEFORE THE NATIONAL LOK ADALAT
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO.1090 OF 2004
ALONG WITH
CROSS OBJECTIONS (L) NO.14826 OF 2005

The State of Maharashtra. .. Appellant

Versus

Bhimabai Babu Mokashi & Others. .. Respondents

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Shri S.K. Shinde, Government Pleader for the Appellant.

Shri S.M. Kamble for the Respondents.

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CORAM : A.S.OKA, J (HEAD OF THE PANEL)
S.S.DESHMUKH, RETIRED DISTRICT &
SESSIONS JUDGE, MEMBER AND
M.S GUPTA, REGISTRAR, MEMBER

DATED : 8TH APRIL 2017

PC.

1. The consent terms duly signed by the learned Government Pleader appearing for the Appellant, the learned counsel appearing for the Respondents, Shri Dattaprasad D. Nade, the Deputy Collector (Land Acquisition), Metro Center No.1, Panvel, as well as Shri Anant Babu Mokashi, the son of the Respondent No.1 Bhimabai B. Mokashi are taken on record and marked "X1" for identification. Shri Kamble, the

learned counsel appearing for the Respondents-Claimants on instructions of Shri Anant Mokashi, the son of the Respondent No.1, who is present in the Court, states that the son of the Respondent No.1 has signed the consent terms on her behalf and that the remaining Respondents will either personally visit the office of this Court and sign the consent terms or will produce a signed copy of the consent terms duly countersigned by the learned counsel himself. He states that this exercise shall be completed within a period of four weeks from today. We accept the statements. Permission is accordingly granted to sign the consent terms.

2. The delay, if any, in filing Cross-Objections is condoned by consent of the parties. The Appeal and the Cross Objections are disposed of in terms of the consent terms. Accordingly, the award shall be drawn in terms of the consent terms in accordance with Section 21 of the Legal Services Authority Act, 1987.

3. Before issuing writ of this Court, the Registrar (Judicial-II) shall verify whether the consent terms are signed by the rest of the Respondents in terms of Paragraph 2 above.

4. The award shall be drawn and writ shall be issued only after all the Respondents sign the consent terms and only if deficit

Court fee, if any, on the Cross Objections is paid within a period of four weeks from today.

5. If the Respondents-Claimants have furnished a bank guarantee, the Reference Court on production of a certified copy of the Judgment and Award or on receipt of the writ of this Court, shall pass a formal order of discharge of bank guarantee and return the same to the Respondents-Claimants.

6. In case of non-compliance by the Government of Maharashtra with the award made by the Lok Adalat, the parties are free to approach the Court for seeking its implementation.

7. The pending Civil Application does not survive and the same is disposed of.

(A.S. OKA, J)
HEAD OF THE PANEL

(S. S. DESHMUKH)
MEMBER

(M.S. GUPTA)
MEMBER