

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

FIRST APPEAL NO.1089 OF 2004
IN
L.A.R. NO.1528 OF 2000
ALONG WITH
CROSS OBJECTIONS (L) NO.14832 OF 2005

The State of Maharashtra. .. Appellant

Versus

Shri Shankar Bama Gharat (Deceased),
Through his legal heirs-

1. Ramesh Nathu Gharat,
2. Dinesh Nathu Gharat. .. Respondents

--

Shri S.K. Shinde, Government Pleader for the Appellant.
Shri S.M. Kamble for the Respondents.

--

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 Ramesh Nathu Gharat, the Respondent No.1 are taken on record and marked "X1" for

identification. Shri Kamble, the learned counsel appearing for the Respondents on instructions of Shri Ramesh Nathu Gharat, the legal representative (Respondent No.1), who is present in the Court, states that first Respondent has signed the consent terms on his behalf and on behalf of the other legal representative (Respondent No.2) and that the Respondent No.2 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 his learned counsel. 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 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 Respondent No.2 in terms of Paragraph 2 above.

4. The award shall be drawn and writ shall be issued only after the Respondent No.2 signs the consent terms and only after 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