

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

FIRST APPEAL NO.2150 OF 2005  
IN  
L.A.R. NO.72 OF 2002  
ALONG WITH  
CROSS OBJECTIONS (L) NO.640 OF 2006

The State of Maharashtra and Others. .. Appellants

Versus

Shri Vithoba Balkrishna Gaikar and Others. .. Respondents

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

Shri Madhur Surana i/b Shri S.G. Surana 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 Respondent Nos.1 to 6 are personally present in the Court. All of them state that the Respondent No.7 has died 10 to 12 years back. However, the Respondent Nos.1 to 6 are her legal representatives and therefore, there is no abatement of the Appeal.

2. The consent terms duly signed by the learned Government Pleader appearing for the Appellants, the learned counsel appearing for

the Respondents, Shri Dattaprasad D. Nade, the Deputy Collector (Land Acquisition), Metro Center No.1, Panvel, as well as all the Respondent Nos.1 to 6 are taken on record and marked "X1" for identification. The Respondent Nos.4 to 6 have put their thumb impressions on the consent terms which are duly attested by the learned counsel appearing for the Respondents.

3. 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.

4. The award shall be drawn and writ shall be issued in terms of the Paragraph 3 above 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 Applications do not survive and the same are disposed of.

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

( S. S. DESHMUKH)  
MEMBER

( M.S. GUPTA)  
MEMBER