

IN THE NATIONAL LOK ADALAT PRESIDED OVER BY
HON'BLE SHRI JUSTICE V. K. JADHAV,
HELD ON 14TH JULY, 2018,
AT HIGH COURT LEGAL SERVICES SUB-COMMITTEE AT
AURANGABAD

902 (SB) FIRST APPEAL NO. 129 OF 2015

THE EXECUTIVE ENGINEER, IRRIGATION PROJECT STRENGTHENING
DIV. OMERGA
VERSUS
MADHAV GUNDAJI KADAM AND OTHERS

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903 FIRST APPEAL NO. 130 OF 2015

EXECUTIVE ENGINEER (MI) OMRGA DIST OSMANABAD THR
EXECUTIVE ENGINEER
VERSUS
UTTAMBAI RAM KADAM AND OTHERS

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Advocate for Appellant : Mr. S. G. Sangle
Advocate for Respondents-claimants : Mr. N.R. Pawade h/f Mr. L. C. Patil.

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904 FIRST APPEAL NO. 131 OF 2015

THE EXECUTIVE ENGINEER, IRRIGATION PROJECT STRENGTHENING
DIV. OMERGA
VERSUS
YADAV GUNDAJI KADAM AND OTHERS

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Advocate for Appellant : Mr. S. G. Sangle
Advocate for Respondents-claimants : Mr. N.R. Pawade h/f Mr. L. C. Patil.

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905 FIRST APPEAL NO. 612 OF 2015

THE EXECUTIVE ENGINEER, IRRIGATION PROJECT STRENGTHENING
DIV. OMERGA
VERSUS
SURYABHAN BABARAO KADAM AND OTHERS

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Advocate for Appellant : Mr. S. G. Sangle
Advocate for Respondents-claimants : Mr. N.R. Pawade h/f Mr. L. C. Patil.

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906 FIRST APPEAL NO. 613 OF 2015

THE EXECUTIVE ENGINEER, OSMANABAD MEDIUM PROJECT DIVISION,
OSMANABAD AND ANR

VERSUS
JANAK BABARAO KADAM AND OTHERS

...

Advocate for Appellant : Mr. S. G. Sangle
Advocate for Respondents-claimants : Mr. N.R. Pawade h/f Mr. L. C. Patil.
AGP for Respondent - State Authority in all matters : Mr. B. V. Virdhe

(05)

O R D E R

1. Mr. Alhad Laxmanrao Palwankar, Sub Divisional Officer, Minor Irrigation, Sub Division, Ashti, is present before the panel. Mr. S. G. Sangle, learned counsel for appellant-acquiring body, Mr. N.R. Pawade h/f Mr. L.C. Patil, learned counsel for respondents-original claimants and Mr. B.V. Virdhe, learned A.G.P. for the respondent-State authorities are also present.

2. Mr. S.G. Sangle learned counsel appearing for the appellant-acquiring body, on instructions from the aforesaid officer, who is present before the panel submits that the rate awarded by the impugned judgment and award passed by the reference court is less than four times of the rate awarded by the S.L.A.O. In view of above, Mr. S.G. Sangle, learned counsel appearing for appellant-acquiring body, on instructions from the officer, who is present before the panel and in tune with the Government Resolution dated 03.11.2016 and the subsequent corrigendum dated 23.02.2017 seeks leave to withdraw these first appeals.

3. In terms of the award passed by the reference court, the acquiring body in all matters has deposited the compensation as awarded at the enhanced rate by the reference court. The acquiring body has also taken decision to settle the dispute finally, which squarely falls in the category of Government Resolution dated 03.11.2016 and the subsequent corrigendum dated 23.02.2017.

4. In view of above, leave granted. All first appeals are disposed of as withdrawn. Court fees be refunded as per Rules. Pending civil applications, if any, are also disposed of. Statutory benefits be extended in accordance with law.

5. Mr. S.G. Sangle, learned counsel for the appellant-acquiring body, on instructions, submits that the amount at the enhanced rate as awarded by the reference court, if any, will be deposited within six months from today. The amount if paid in excess be refunded to the acquiring body.

(K.C.Sant)
Advocate
Member

(V.B. Mantri)
D.J.(Retd.)
Member

(V. K. Jadhav, J.)
Head of the Panel

Date: 14.07.2018
Place: Aurangabad

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