

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

983 FIRST APPEAL NO. 92 OF 2017

THE EXECUTIVE ENGINEER, IRRIGATION DEPT. AND ANOTHER
VERSUS
ANANDRAO HAIBATRAO DESHMUKH

...
Advocate for Appellants : Ms. L.R. Thakur h/f Mr. Umakant K. Patil
Advocate for Respondents : Mr. A.T. Ghute
...

984 FIRST APPEAL NO. 2983 OF 2017

THE EXECUTIVE ENGINEER, MEDIUM PROJECT DIVISION OSMANABAD
AND ORS
VERSUS
PANDURANG DAGADU MAGAR

...
Advocate for Appellants : Ms. L.R. Thakur h/f Mr. Umakant K. Patil
Advocate for Respondents : V.V. Tarde
...

985 FIRST APPEAL (STAMP) NO. 5706 OF 2014

THE EXECUTIVE ENGINEER AURANGABAD
VERSUS
MAHADEO SAUDA CHAVAN AND ANOTHER

...
Advocate for Appellant : Mr. G.N. Patil
...

986 FIRST APPEAL (STAMP) NO. 27703 OF 2015

THE EXECUTIVE ENGINEER, M.P.DIVISION OSMANABAD THR GMIDC
AURANGABAD
VERSUS
ARUN JIVANRAO AKHADE AND ANOTHER

...
Advocate for Appellant : Mr. S.G. Bhalerao
...

987 FIRST APPEAL (STAMP) NO. 27706 OF 2015

THE EXECUTIVE ENGINEER, M.P.DIVISION OSMANABAD THR GMIDC
AURANGABAD
VERSUS

-2-

SANJAY BHAUSAHEB AKHADE AND OTHERS

...

Advocate for Appellant : Mr. S.G. Bhalerao

...

988 FIRST APPEAL (STAMP) NO. 27709 OF 2015

THE EXECUTIVE ENGINEER, M.P.DIVISION OSMANABAD THR GMIDC
AURANGABAD

VERSUS

GAJANAN SHARADRAO AKHADE AND ANOTHER

...

Advocate for Appellant : Mr. S.G. Bhalerao

...

989 FIRST APPEAL (STAMP) NO. 9581 OF 2017

THE EX. ENGINEER, MINOR IRRIGATION DIVISION, OSMANABAD AND
ORS

VERSUS

KIRAN GOUTTAM TAKMOGHE AND ANR

...

Advocate for Appellants : Smt. Ranjana Reddy h/f Mr. S.V. Kurundkar

...

990 FIRST APPEAL (STAMP) NO. 9929 OF 2017

THE EX. ENGINEER, MINOR IRRIGATION DIVISION, OSMANABAD AND
ORS

VERSUS

RAMESH EKNATH BARATE

...

Advocate for Appellants : Smt. Ranjana Reddy h/f Mr. S.V. Kurundkar

...

991 FIRST APPEAL (STAMP) NO. 9955 OF 2017

THE EX. ENGINEER, MINOR IRRIGATION DIVISION, OSMANABAD AND
ORS

VERSUS

GOROBA DAJIBA TAKMOGHE (DIED) THR LRS BALAJI B. TAKMOGHE

...

Advocate for Appellants : Smt. Ranjana Reddy h/f Mr. S.V. Kurundkar

...

992 FIRST APPEAL (STAMP) NO. 9960 OF 2017

THE EX. ENGINEER, MINOR IRRIGATION DIVISION, OSMANABAD AND
ORS

VERSUS

RAMESH BABURAO BARATE AND ORS

...

-3-

Advocate for Appellants : Smt. Ranjana Reddy h/f Mr. S.V. Kurundkar

...

993 FIRST APPEAL (STAMP) NO. 9964 OF 2017

THE EX. ENGINEER, MINOR IRRIGATION DIVISION, OSMANABAD AND
ORS

VERSUS

KALLYAN LALASAHEB BARATE

...

Advocate for Appellants : Smt. Ranjana Reddy h/f Mr. S.V. Kurundkar

....

994 FIRST APPEAL (STAMP) NO. 1514 OF 2018

THE EX. ENGINEER, LIFT IRRIGATION DIVISION, OSMANABAD AND ANR
VERSUS

BHIMABAI GANPATI DAMBARE (DIED) THR LRS VISHNU AND ORS

...

Advocate for Appellants : Smt. Ranjana Reddy

...

995 FIRST APPEAL (STAMP) NO. 1669 OF 2018

THE EX. ENGINEER, LIFT IRRIGATION DIVISION, OSMANABAD AND ANR
VERSUS

GOVIND BHIVA DOKE (DIED) THR LRS CHANDRABHAGA AND ORS

...

Advocate for Appellants : Smt. Ranjana Reddy

...

996 FIRST APPEAL (STAMP) NO. 9611 OF 2018

THE EXECUTIVE ENGINEER, LIFT IRRIGATION DIVISION OSMANABAD
AND ANR

VERSUS

MAHADEO RAJENDRA JADHAV

...

Advocate for Appellants : Mr. P.G. Rodge

...

997 FIRST APPEAL (STAMP) NO. 9922 OF 2018

THE EX. ENGINEER, LIFT IRRIGATION DIV. OSMANABAD AND ANR
VERSUS

KALPANA MAHADEO GAIKWAD

...

Advocate for Appellants : Mr. P.G. Rodge

....

998 FIRST APPEAL (STAMP) NO. 9925 OF 2018

-4-

THE EX. ENGINEER, LIFT IRRIGATION DIV. OSMANABAD AND ANR
VERSUS
SHIVAJI JANARDHAN GAIKWAD

...
Advocate for Appellants : Mr. P.G. Rodge

...
999 FIRST APPEAL (STAMP) NO. 9928 OF 2018

THE EX. ENGINEER, LIFT IRRIGATION DIV. OSMANABAD AND ANR
VERSUS
RAJENDRA CHANDRABHAN GAIKWAD

...
Advocate for Appellants : Mr. P.G. Rodge

...
1000 FIRST APPEAL (STAMP) NO. 10340 OF 2018

THE EX. ENGINEER, LIFT IRRIGATION DIV. OSMANABAD THR H.C.
SHAIKH AND ANR
VERSUS
PANDURANG BHARAT PIMPRE

...
Advocate for Appellants : Mr. Shyam C. Arora

...
WITH
FIRST APPEAL (ST.) NO. 1508 OF 2018 WITH C.A. NO. 1810 OF 2018

THE EX. ENGINEER, LIFT. IRRIGATION DIVISION, OSMANABAD AND
ORS
VERSUS
NIVRUTTI MARUTI DIGAMBAR (DIED) THR LRS KONTABAI

...
Advocate for Appellants : Smt. Ranjana Reddy

...
AGP for Respondents: Mr. B.V. Virdhe

(19)

O R D E R

1. Mr. Umesh Wankhede, Executive Engineer, Lift irrigation Division, Osmanabad, is present before the panel. Mr. G. N. Patil, Mr. P.G. Rodge, Smt. Ranjana Reddy, Mr. S.G. Bhalerao, Ms. L.R. Thakur h/f Mr. Umakant Patil, Mr. Shyam C. Arora and Smt. Ranjana

Reddy h/f Mr. S.V. Kurundkar, learned counsel appearing for the appellant-acquiring body, learned counsel for respondents-original claimants in respective matters and Mr. B.V. Virdhe, learned A.G.P. for the respondent-State authorities are also present.

2. Mr. G. N. Patil, Mr. P.G. Rodge, Smt. Ranjana Reddy, Mr. S.G. Bhalerao, Ms. L.R. Thakur h/f Mr. Umakant Patil, Mr. Shyam C. Arora and Smt. Ranjana Reddy h/f Mr. S.V. Kurundkar, learned counsel appearing for the appellant-acquiring body, on instructions from the aforesaid officer, who is present before the panel, submit 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. G. N. Patil, Mr. P.G. Rodge, Smt. Ranjana Reddy, Mr. S.G. Bhalerao, Ms. L.R. Thakur h/f Mr. Umakant Patil, Mr. Shyam C. Arora and Smt. Ranjana Reddy h/f Mr. S.V. Kurundkar, 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 seek leave to withdraw these first appeals.

3. In terms of the award passed by the reference court, the acquiring body in all matters (except in F.A. st. Nos. 9611 of 2018,

9922 of 2018, 9925 of 2018 and 9928 of 2018) 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 are also disposed of.

5. Learned counsel for the appellant-acquiring body, on instructions, submit that the amount, if any, at the enhanced rate as awarded by the reference court 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

rlj/