

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

965 FIRST APPEAL NO. 3530 OF 2011
WITH CA/14473/2011 IN FA/3530/2011
WITH FA/3531/2011 WITH CA/14477/2011 IN FA/3531/2011

THE EXECUTIVE ENGINEER SINA KOLEGAON MED PROJECT THR
MAH KRISHNA VALLEY DEV CORPN
VERSUS
THE STATE OF MAHARSHTRA AND ORS

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966 FIRST APPEAL NO. 3534 OF 2011
WITH CA/14484/2011 IN FA/3534/2011 WITH FA/3535/2011 WITH
CA/14485/2011 IN FA/3535/2011

THE EXECUTIVE ENGINEER SINA KOLEGAON MED PROJECT
PARANDA DIST O.BAD THR MAH KRISH
VERSUS
THE SATE OF MAHARSHTRA AND ORS

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967 FIRST APPEAL NO. 3538 OF 2011
WITH CA/14488/2011 IN FA/3538/2011 WITH FA/3539/2011 WITH
CA/14490/2011 IN FA/3539/2011

THE EXECUTIVE ENGINEER, MEDIUM PROJECT, OSMANABAD
VERSUS
THE STATE OF MAHARASHTRA AND ORS

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968 FIRST APPEAL NO. 1892 OF 2012
WITH CA/4548/2012 IN FA/1892/2012

THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIV. OBAD
VERSUS
THE STATE OF MAH AND ORS

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969 FIRST APPEAL NO. 2016 OF 2012

THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIV. OBAD
VERSUS
THE STATE OF MAH AND ORS

...

970 FIRST APPEAL NO. 2197 OF 2012
WITH CA/4542/2012 IN FA/2197/2012

THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIV. OBAD
VERSUS
THE STATE OF MAH AND ORS

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971 FIRST APPEAL NO. 1249 OF 2014
WITH CA/12543/2013 IN FA/1249/2014 WITH FA/1248/2014 WITH
CA/12545/2013 IN FA/1248/2014

THE EXECUTIVE ENGINEER, SINA KOLEGAON PROJECT DIVISION,
PARANDA
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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972 FIRST APPEAL NO. 1351 OF 2014
WITH CA/13417/2013 IN FA/1351/2014 WITH FA/1352/2014 WITH
CA/13415/2013 IN FA/1352/2014

THE EXECUTIVE ENGINEER, SINA KOLEGAON PROJECT DIVISION
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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973 FIRST APPEAL NO. 1700 OF 2014

THE EXECUTIVE ENGINEER, SINA KOLEGAON PROJECT DIVISION,
PARANDA
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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974 FIRST APPEAL NO. 1701 OF 2014

THE EXECUTIVE ENGINEER, SINA KOLEGAON PROJECT DIVISION,
PARANDA
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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975 FIRST APPEAL NO. 1435 OF 2015

THE EXECUTIVE ENGINEER SINA KOLEGAON MEDIUM PROJECT,
OSMANABAD
VERSUS
YAMUNABAI SURYAKANT GAWADE AND OTHERS

-3-

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976 FIRST APPEAL NO. 1437 OF 2015

THE EXECUTIVE ENGINEER, SINA KOLEGAON PROJECT,
OSMANABAD
VERSUS
BHARAT SURYABHAN GAWADE AND OTHERS

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977 FIRST APPEAL NO. 1438 OF 2015

THE EXECUTIVE ENGINEER, SINA KOLEGAON MEDIUM
PROJECT, OSMANABAD
VERSUS
HANUMANT AMBADAS NARSALE AND OTHERS

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978 FIRST APPEAL NO. 745 OF 2018

THE EX. ENGINEER, SINA KOLEGAON PROJECT, PARANDA ANDORS
VERSUS
RAOSAHEB DADARAO MORE

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979 FIRST APPEAL NO. 748 OF 2018

THE EX. ENGINEER, SINA KOLEGAON PROJECT, PARANDA ANDORS
VERSUS
NANASAHEB DADARAO MORE

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980 FIRST APPEAL NO. 752 OF 2018

THE EX. ENGINEER, SINA KOLEGAON PROJECT, PARANDA ANDORS
VERSUS
MADHUKAR BHANUDAS MORE

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981 FIRST APPEAL (STAMP) NO. 4317 OF 2014

THE EXECUTIVE ENGINEER OSMANABAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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982 FIRST APPEAL (STAMP) NO. 4425 OF 2014

THE EXECUTIVE ENGINEER, OSMANABAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHRES

-4-

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WITH

911 (Supplementary board)

FIRST APPEAL NO. 3156 OF 2017

WITH F.A. NO. 3157 OF 2017, 3158 OF 2017, 3159 OF 2017, 3160 OF 2017 AND 3161 OF 2017.

THE MAHARASHTRA KRUSHNA VALLEY DEVELOPMENT
CORPORATION

VERSUS

JAGDISH BRAMHANAND PATIL AND ANOTHER

...

Advocate for Appellant : Mr. Rajale Gulab B.

Advocate for Appellant : Mr. A.R. Kale

Advocate for Appellant : Mr. A.M. Gaikwad

AGP for Respondents: Mr. B.V. Virdhe

Advocate for Respondents-claimants : Mr. A.S. More

(29)

O R D E R

1. Mr. Omprakash Bhimrao Thambad, Sub Divisional Engineer, Sina Kolegaon Project division, Paranda, is present before the panel. Mr. G. B. Rajale, Mr. A.R. Kale and Mr. A.M. Gaikwad, learned counsel appearing for the appellant-acquiring body, Mr. A.S. More, 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. Omprakash Bhimrao Thambad, Sub Divisional Engineer, Sina Kolegaon Project division, Paranda, has placed on record a communication dated 10.07.2018 alongwith authority letter dated 12.07.2018 thereby authorizing him to attend and sign the necessary

documents in the Maha Lokadalat. The said communication is taken on record and marked "X" for identification.

3. Mr. G. B. Rajale, Mr. A.R. Kale and Mr. A.M. Gaikwad, 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. G. B. Rajale, Mr. A.R. Kale and Mr. A.M. Gaikwad, 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.

4. In terms of the award passed by the reference court, the acquiring body in all matters (except in F.A. No. 745 of 2018, 748 of 2018 and 752 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.

5. 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.

6. Mr. Rajale, learned counsel for the appellant-acquiring body, on instructions, submits that the amount 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

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