

**IN THE NATIONAL LOK ADALAT PRESIDED OVER BY
HON'BLE SMT. JUSTICE VIBHA KANKANWADI,
HELD ON 08TH DECEMBER, 2018,
AT HIGH COURT LEGAL SERVICES SUB-COMMITTEE
AT AURANGABAD.**

.....
31 FAST/30948/2012

DAJBHAU BHARATA GIRASE
VERSUS
THE STATE OF MAH AND ANR

...
Advocate for Appellant : Kale Ajeet B.
AGP for Respondents: B. V. Virdhe.
Advocate for Respondents No.2 :Pawar Ajay D.

...

32 FAST/14606/2013

REKHABAI SUBHASH WANI
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER AND OTHERS

...
Advocate for Appellant : Kale Ajeet B.
AGP for Respondents: B. V. Virdhe.
Advocate for Respondents No.2 :Pawar Ajay D.

...

33 X-OBJECTION (STAMP) NO.3128 OF 2013
IN FA/1710/2010

INDRASINGH GOTESINGH RAJPUT(DIED) KALPANABAI INDRASING GIRASE
AND ORS
VERSUS
THE STATE OF MAH AND ANR

...
Advocate for Appellant : Kale Ajeet B.
AGP for Respondents: B. V. Virdhe.
Advocate for Respondents No.2 :Pawar Ajay D.

...

34 X-OBJECTION (STAMP) NO.27081 OF 2013
IN FA/984/2010

DANGALSINH VAGARSINH GIRASEHE COURT OF LOK ADALAT

VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER 08

...
Advocate for Appellant : Kale Ajeet B.
AGP for Respondents: B. V. Virdhe.
Advocate for Respondents No.2 :Pawar Ajay D.

...

34(A) X-OBJECTION (STAMP) NO.36823 OF 2018

KOMALSING SADA GIRASE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Appellant : Kale Ajeet B.
AGP for Respondents: B. V. Virdhe.
Advocate for Respondents No.2 :Pawar Ajay D.

...

35 X-OBJECTION (STAMP) NO.24989 OF 2016
IN FA/3097/2016

DILIPSING BAJESING GIRASE
VERSUS
THE STATE OF MAHARASHTRA AND ORS

...
Advocate for Appellant : Kale Ajeet B.
AGP for Respondents: B. V. Virdhe.
Advocate for Respondents No.2 :Pawar Ajay D.

...

36 X-OBJECTION (STAMP) NO.24991 OF 2016
IN FA/3096/2016

DAGESING BAJESING GIRASE
VERSUS
THE STATE OF MAHARASHTRA AND ORS

...
Advocate for Appellant : Kale Ajeet B.
AGP for Respondents: B. V. Virdhe.
Advocate for Respondents No.2 :Pawar Ajay D.

...

37 X-OBJECTION (STAMP) NO.25005 OF 2016
IN FA/3095/2016

BARKU BAJESING GIRASE
VERSUS
THE STATE OF MAHARASHTRA AND ORS

...

Advocate for Appellant : Kale Ajeet B.
AGP for Respondents: B. V. Virdhe.
Advocate for Respondents No.2 : Pawar Ajay D.

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38 X-OBJECTION (STAMP) NO.23219 OF 2018
IN FA/2004/2012

NIMBABAI MANGALSINGH GIRASE
VERSUS
THE STATE OF MAHARASHTRA AND ORS

...

Advocate for Appellant : Kale Ajeet B.
AGP for Respondents: B. V. Virdhe.
Advocate for Respondents No.2 : Pawar Ajay D.

...

39 X-OBJECTION (STAMP) NO.23222 OF 2018
IN FA/2081/2012

INDUBAI RAJESING GIRASE
VERSUS
THE STATE OF MAHARASHTRA AND ORS

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Advocate for Appellant : A. B. Kale.
AGP for Respondent -State: B. V. Virdhe
Advocate for respondent-acquiring body: Mr. A. D. Pawar.

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40 X-OBJECTION (STAMP) NO.23275 OF 2018
IN FA/408/2013 WITH X-OBJST/23278/2018 IN FA/403/2013

SHAMKORBAI RATANSING GIRASE, DIED THR L.RS. BHAUSAHEB
VERSUS
THE STATE OF MAHARASHTRA, THE SPECIAL LAND ACQUISITION OFFICER
(M.I.P) DHULE AND

...

Advocate for Appellant : Kale Ajeet B.
AGP for Respondents: B. V. Virdhe.
Advocate for Respondents No.2 : Pawar Ajay D.

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40(B) X-OBJECTION (STAMP) NO. 27283 OF 2013

GANGARAM RAJAAM SUTAR
VERSUS
STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Appellant : Kale Ajeet B.
AGP for Respondents: B. V. Virdhe.
Advocate for Respondents No.2 :Pawar Ajay D.

...

40(C) FA 1708 OF 2010

BHAGWAN KESHARSING GIRASE
VERSUS
STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Appellant : Kale Ajeet B.
AGP for Respondents: B. V. Virdhe.
Advocate for Respondents No.2 :Pawar Ajay D.

...

40(D) FA 2176 OF 2016

BHAIIDAS SADASHIV CHAUDHARI
VERSUS
STATE OF MAHARASHTRA AND ANOTHER

....

Advocate for Appellant : Kale Ajeet B.
AGP for Respondents: B. V. Virdhe.
Advocate for Respondents No.2 :Pawar Ajay D.

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ORDER

1. Learned Advocate Mr. A. D. Pawar is appearing and filing Vakalatnama for acquiring body. He is already appearing in Sr. No. 31, 32, 40, 40-A, 40-B, 40-C and 40-D. In all the matters he is submitting the consent terms.
2. Mr. A. S. Patil, Executive Engineer, Dhule Medium Project Division, Dhule is present in person before the panel. Mr. A. B. Kale, learned counsel appearing for the appellants-claimants is present, Mr. B. V. Virdhe, learned

A.G.P. for the respondent State and Mr. A. D. Pawar, learned counsel appearing for respondents – acquiring body are also present.

3. Mr. A. S. Patil, Executive Engineer, Dhule Medium Project Division, Dhule has produced on record communication dated 05-07-2018, it is taken on record and marked as Exhibit 'X'.

4. These matters are amicably settled between the parties and the compromise chart prepared as per the terms of the compromise/settlement is placed before the panel. Shri A. S. Patil, Executive Engineer, Mr. A. B. Kale, learned counsel appearing for the appellants-claimants, Mr. B. V. Virdhe, learned A.G.P. for the respondent -State and Mr. A.D. Pawar, learned counsel appearing for respondent- acquiring body admit the terms and conditions of the said compromise chart. The chart bears the signature of Mr. A. S. Patil, the Executive Engineer, as aforesaid, and also signatures of Mr. A.B. Kale, learned counsel appearing for the appellants-claimants, Mr. B. V. Virdhe, learned A.G.P. for the respondent-State and Mr. A.D. Pawar, learned counsel appearing for respondent-acquiring body. Thus the contents of the compromise/chart stand verified and the same is taken on record and marked as "Y" for identification.

5. The present group of cross objections/appeals relate to the acquisition of lands for Wadi Shevadi, Tikhi and Devi, medium projects and the Division Bench of this Court in similar set of facts, for the land acquired for Waghur project, in the case of *Special Land Acquisition Officer and*

another Versus Bhagwat Vitthal Sonawane, reported in (2009) 4 *Mh.L.J.* 308, has fixed the market price of Jirayat land at the rate of Rs.2,00,000/- per hectare and Bagayat land at the rate of Rs.4,00,000/- per hectare. In view of above, these matters are settled in terms of the aforesaid judgment of the Division Bench.

6. In view of the judgment and order passed by the Division Bench, as aforesaid, the Executive Director of Tapi Irrigation Development Corporation, Jalgaon by communication dated 5.7.2018 has directed the Superintendent Engineer, Dhule Irrigation Project Circle Dhule to settle the matters accordingly. The aforesaid communication dated 5.7.2018 is taken on record and marked "X" for identification.

7. In respect of the enhanced compensation of amount the claimants would not be entitled for the interest on the enhanced compensation amount for the period of which delay has been condoned and the claimants have submitted specific undertaking to that effect. The amount of enhanced compensation, as worked out in the compromise/chart will be paid/deposited within one year from the date of preparation of decree. In case the amount is not deposited within a period of one year, the respondent acquiring body would be liable to pay the interest.

8. Statutory benefits be extended as awarded by the Reference court.

9. Award / Decree be drawn up in terms of the chart / compromise

placed on record, as aforesaid.

10. In view of the above compromise arrived at between the parties, all First Appeals and the cross objections are disposed of. Refund of court fees as per Rules. Deficit court fees, if any, be paid forthwith. Pending civil applications, if any, stand disposed of.

[S. P. BRAHME]	[V. B. MANTRI]	[SMT. VIBHA KANKANWADI, J.]
Advocate	District Judge	Head of the Panel
Member	(Retd.)	
	Member	

Date : 08.12.2018

Place : Aurangabad.

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vjg/-