

**IN THE NATIONAL LOK ADALAT PRESIDED OVER BY
HON'BLE SHRI JUSTICE P.R.BORA,
HELD ON 22nd APRIL, 2018.
AT HIGH COURT LEGAL SERVICES SUB-COMMITTEE AT AURANGABAD**

FA/486/2017
WITH
FA/487/2017
WITH
FA/488/2017
WITH
FA/490/2017
WITH
FA/491/2017
WITH
FA/492/2017
WITH
FA/493/2017
WITH
FA/494/2017
WITH
FA/495/2017
WITH
FA/496/2017
WITH
FA/497/2017
WITH
FA/498/2017
WITH
FA/510/2017

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(Sr.Nos.901 in Exh.A (Board) Page Nos. 12 & 13)

OFFICER/S : Mr. Rajesh Baburao Govardhane,
Executive Engineer, MID No.2
Sangamner.

Advocates for respective Appellant/s : Mr. Shinde Bhagwat A.

AGPs for State : Mr. A.M.Phule, Mr.B.V.Virdhe &
Mr. S.S.Dande,

Advocate for respective Respondent/s : Mr. S.K. Shinde

ORDER

1. Shri Rajesh Baburao Govardhane, Executive Engineer of the acquiring body, appellant, is present before the Panel. The letter annexed with all the proposals dated 15th of March, 2018, addressed to the High Court Legal Services Sub Committee is tendered before the panel and is taken on record.

2. In so far as matters bearing FA Nos.496/2017, 495/2017, 498/2017, 490/2017 and 486/2017 are concerned it is informed that there was some deficit in the amount of compensation previously deposited by the acquiring body. It is further informed that, therefore, the Court has directed the acquiring body to deposit the said amount and, accordingly, the amount is to be deposited by the acquiring body. Learned Counsel for the acquiring body has submitted that the cheque / draft of the respective amounts are already received and will be deposited within a week. Liberty to deposit the amount has already been granted by the Court.

3. All these appeals are filed by the Executive Engineer, Minor Irrigation Division No.2, Sangamner, challenging the awards passed by the Reference Court under Section 18 of the Land Acquisition Act. It is informed that after filing of the appeals, the amount of compensation as was directed to be paid in the impugned awards, has been deposited by the appellant Department. Now, it is submitted that in view of the Government policy, the acquiring body as well

as the Government do not wish to pursue the matters further. It is also informed that the market rate as has been determined by the Reference Court, is less than four times of the ready reckoner rates prevailing at the time of the acquisition of the said lands and, as such, in view of the Government Resolution dated 3rd of November, 2016, read with corrigendum dated 23rd February, 2017, the present appeals are not to be prosecuted further.

4. Learned Counsel for the respondents (Original claimants) is present before the panel. Learned Counsel submits that the claimants will not claim the interest of the period from the date of the order passed by the Court, directing the appellant to deposit the amount, till the date of deposit of the amount. Learned Counsel, however, submits that if there are certain mistakes in calculating the amount of interest of the past period, it may be kept open for the claimants to claim that much of the amount. It does not appear that the submission made by the learned Counsel is unfair.

5. In view of the submissions made as above, the matters stand settled and stand disposed of. Delay caused in filing the present appeals, if any, stands condoned. Pending Civil Applications, if any, stand disposed of.

6. The amount/s deposited in this Court by the acquiring body / State be transmitted to the respective Reference Court so as to facilitate its withdrawal by the respective claimants.

7. It would be open for the claimants to withdraw the said amount by following usual procedure provided therefor from the Reference Court.

8. Court fees be refunded as per the Rules.

(K. C. SANT)
Advocate,
Member

(P. S. PARANJAPE)
D.J.(Retd.)
Member

(P. R. Bora, J.)
Head of the Panel

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Date: 22.04.2017
Place: Aurangabad.

AGP