

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

FIRST APPEAL NO. 1174 OF 2015
WITH
CIVIL APPLICATION NO.10549 OF 2009
IN
FIRST APPEAL NO. 1174 OF 2015
WITH
CIVIL APPLICATION NO.10548 OF 2009
IN
FIRST APPEAL NO. 1174 OF 2015
WITH
FIRST APPEAL NO. 1175 OF 2015
WITH
FIRST APPEAL NO. 1176 OF 2015
WITH
FIRST APPEAL NO. 1177 OF 2015
WITH
FIRST APPEAL NO. 1178 OF 2015
WITH
FIRST APPEAL NO. 1188 OF 2015
WITH
FIRST APPEAL NO. 1189 OF 2015
WITH
FIRST APPEAL NO. 1190 OF 2015
WITH
FIRST APPEAL NO. 1191 OF 2015
WITH
FIRST APPEAL NO. 1192 OF 2015
WITH
CIVIL APPLICATION NO.10525 OF 2009
IN
FIRST APPEAL NO. 1192 OF 2015
WITH
FIRST APPEAL NO. 1193 OF 2015
WITH
FIRST APPEAL NO. 1194 OF 2015
WITH
FIRST APPEAL NO. 1195 OF 2015
WITH
FIRST APPEAL NO. 1196 OF 2015
WITH
FIRST APPEAL NO. 1197 OF 2015
WITH
CIVIL APPLICATION NO.10527 OF 2009
IN

FIRST APPEAL NO. 1197 OF 2015
WITH
CIVIL APPLICATION NO.10528 OF 2009
IN
FIRST APPEAL NO. 1197 OF 2015
WITH
FIRST APPEAL NO. 1198 OF 2015
WITH
FIRST APPEAL NO. 1199 OF 2015
WITH
FIRST APPEAL NO. 1200 OF 2015
WITH
FIRST APPEAL NO. 1201 OF 2015
WITH
FIRST APPEAL NO. 3458 OF 2015
WITH
CIVIL APPLICATION NO.10510 OF 2009
IN
FIRST APPEAL NO. 3458 OF 2015
WITH
CIVIL APPLICATION NO.13427 OF 2017
IN
FIRST APPEAL NO. 3458 OF 2015
WITH
FIRST APPEAL NO. 2098 OF 2016
WITH
CIVIL APPLICATION NO.10519 OF 2009
IN
FIRST APPEAL NO. 2098 OF 2016
WITH
FIRST APPEAL (ST) NO. 19423 OF 2009
WITH
CIVIL APPLICATION NO.10537 OF 2009
IN
FIRST APPEAL (ST) NO. 19423 OF 2009
WITH
CIVIL APPLICATION NO.10536 OF 2009
IN
FIRST APPEAL (ST) NO. 19423 OF 2009
WITH
CIVIL APPLICATION NO.10535 OF 2009
IN
FIRST APPEAL (ST) NO. 19423 OF 2009
WITH
FIRST APPEAL (ST) NO. 19451 OF 2009
WITH
CIVIL APPLICATION NO.10527 OF 2009
IN
FIRST APPEAL (ST) NO. 19451 OF 2009

**WITH
CIVIL APPLICATION NO.10499 OF 2009
IN
FIRST APPEAL (ST) NO. 19451 OF 2009
WITH
CIVIL APPLICATION NO.10498 OF 2009
IN
FIRST APPEAL (ST) NO. 19451 OF 2009
WITH
FIRST APPEAL (ST) NO. 19475 OF 2009
WITH
CIVIL APPLICATION NO.10572 OF 2009
IN
FIRST APPEAL (ST) NO. 19475 OF 2009
(Board-F2) (Sr. No. 901 to 921 and 923 to 925)**

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Present

Officer	:	Shri. I. M. Chishti, Executive Engineer, Latur Minor Irrigation Division.
Advocate for acquiring body	:	Kalpalata B. Bharswadkar.
Advocate for respondents	:	Shri. S. S. Manale.
AGPs	:	Shri. A. M. Phule, Shri. B. V. Virdhe and Shri. S. S. Dande.

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ORDER

1. The present appeals are filed by the Executive Engineer, Latur Minor Irrigation Division, Latur.
2. Smt. Bharswadkar Kalpalata B., Advocate, is appearing for acquiring body. Shri. I. M. Chishti, Executive Engineer is present before the Panel. Shri. A. M. Phule, learned A.G.P represents the State. Shri. S. S. Manale, Advocate, appears for the respondents i.e. original claimants in all the matters.
3. It is submitted that the Acquiring Body / State does not wish

to prosecute these appeals further in view of the policy adopted by the Government vide Government Resolution dated 3rd November, 2016, read with corrigendum dated 23rd February, 2017. It is further submitted that the Acquiring Body has deposited the entire amount of compensation in all these matters. The submission so made, is disputed by the learned Counsel appearing for the claimants. According to the information of the learned Counsel, the Acquiring Body has deposited only 50% amount of the Award and the order of this Court was also to deposit the remaining 50% amount, the learned Counsel added. The learned Counsel for the acquiring body submits that, if this be so, the Acquiring Body undertakes to deposit the same in the matters wherein some amount has remained to be deposited.

4. The learned Counsel for the appellants i.e. original claimants, on instructions, submits that part of the amount is deposited by the Acquiring Body on 27th August 2015, before the Reference Court; whereas, according to the instructions of the learned Counsel for the Acquiring Body, the Acquiring Body has deposited the entire amount. Learned Counsel for the claimants, on instructions, submits that claimants will not claim interest on the remaining amount of 50%, if it has remained to be deposited from the said date i.e. 27th August 2015, and onwards. Learned Counsel for the Acquiring Body submits that in such case, if the amount has not yet been deposited in some of the matters, the same will be deposited within six months from the date of this order. Learned Counsel for the appellants submits that, even for the said period of six months, the Acquiring Body will not claim any interest.

5. In view of the above, the present appeals stand settled in the aforesaid terms and are disposed of.

6. The appellants are entitled for refund of Court fees as per Rules.

7. Civil Applications, if any, stand disposed of.

(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.

Devendra