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

1031 FIRST APPEAL NO. 2468 OF 2008

GMIDC, AURANGABAD THE EXECUTIVE ENGINEER, MJALGOAN
VERSUS
THE STATE OF MAHARASHTRA AD ORS
...

1032 FIRST APPEAL NO. 2472 OF 2008

GODAWARI MARATHWADA IRRIGAION DEVELOPMENT
CORPORATION AURANGABAD
VERSUS
THE STATE OF MAH AND ORS
...

1033 FIRST APPEAL NO. 2473 OF 2008

GMIDC, AURANGABAD THR EE MJALGOAN
VERSUS
THE STATE OF MAHARASHTRA AD ORS
...

1034 FIRST APPEAL NO. 3034 OF 2008

GMIDC, AURANGABAD THR EE MJALGOAN
VERSUS
THE STATE OF MAHARASHTRA AD ORS
...

1035 FIRST APPEAL NO. 3089 OF 2008

GODAWARI MARATHWADA IRRIGAION DEVELOPMENT
CORPORATION AURANGABAD
VERSUS
THE STATE OF MAH AND ORS
...

1036 FIRST APPEAL NO. 1527 OF 2010
WITH CA/9838/2007 IN FA/1527/2010

GODAWARI MARATHWADA IRRIGAION DEVELOPMENT CORPORATION
AURANGABAD
VERSUS

THE STATE OF MAH AND ORS
...
Advocate for Appellant : Mr. B R Survase
...

1037 FIRST APPEAL NO. 2432 OF 2010

THE EXECUTIVE ENGINEER MAJLGAON CANAL DIVISION NO 10PARBHANI
VERSUS
VISHNU MADHUKAR BALI AND OS
...

1038 FIRST APPEAL NO. 515 OF 2011

THE EXECUTIVE ENGNEER MAJAGAON CANAL DIVN NO 10 PARBHANI
VERSUS
ATMARAM TULSHIRAM JAMDHADEAND ORS
...

1039 FIRST APPEAL NO. 518 OF 2011

THE EXECUTIVE ENGINEER MAJLGAON CANAL DIVISION NO 10 PARBHANI
VERSUS
SURENDRAKUMAR SHANTARAM DAVE L.RS. MANGAL SURENDRAKUMAR DALVE AND ORS
...

1040 FIRST APPEAL NO. 548 OF 2011

THE EXECUTIVE ENGINEER, MAALGAON CANAL DIVISION NO.10
VERSUS
PRAKASH BABAN KALE AND ORS
...

1041 FIRST APPEAL NO. 554 OF 2011

THE EXECUTIVE ENGNEER MAJAGAON CANAL DIVN NO 10 PARBHANI
VERSUS
EKNATH YESHWANTA NIRWAL AND ORS
...
Advocate for Appellant : Mr. S.S. Thombre
Advocate for Respondents : Mr. R P Surwase & G S Shelke
AGP for respondent-State authority:Mr. B.V. Virdhe
….

1042 FIRST APPEAL NO. 3700 OF 2016

EXECUTIVE ENGINEER, NIMNA UDHNA PROJECT, DIVISION SAILU, NOW MAJALGAON CANAL DIV
VERSUS

ASHAMATI VITHALRAO WARADE ND ORS
...
Advocate for Appellant : Mr. B.R. Surwase
Advocate for Respondents-claimants : V.D. Bhise
...

1043 FIRST APPEAL NO. 668 OF 2017

THE EXECUTIVE ENGINEER, MAALGAON DAM, DIVISION NO.10, PARBHANI AND ORS
VERSUS
DATTATRAYA MANIKARAO KASHTE
...

1044 FIRST APPEAL NO. 727 OF 2017

THE EXECUTIVE ENGINEER, MAALGAON DAM, DIVISION NO.10, PARBHANI AND ORS
VERSUS
TATERAO MANIKRAO KASHTE
...
Advocate for Appellants : Mr. Patil Ruturaj C.
Advocate for Respondent-claimant : Mr. M.P. Tripathi
...

1045 FIRST APPEAL NO. 2070 OF 2017

EXECUTIVE ENGINEER, MAJALGON CANAL DIV. NO.10, PARBHANI AND ORS
VERSUS
SHIVAJI BHANUDAS PARDHI
...
Advocate for Appellants : Mr. Patil Ruturaj C.
Advocate for Respondents : Mr. V.D. Bhise
….

1046 FIRST APPEAL NO. 2204 OF 2017

EXECUTIVE ENGINEER, NIMNA UDHANA PROJECT DIVISION, SAILU, THR EXECUTIVE ENGINEER
VERSUS
PANDURANG BABURAO PARDHI AD ANR
...
Advocate for Appellant : Mr. Patil Ruturaj C.
…..

1047 FIRST APPEAL NO. 2207 OF 2017
WITH FA/2208/2017 WITH FA/2209/2017

EXECUTIVE ENGINEER, MAJALGON CANAL DIVISION NO.10, PARBHANI AND ORS
VERSUS

SARJERAO BHAGWAN PARDHI AND ANR
...
Advocate for Appellants : Mr. Patil Ruturaj C.
Advocate for Respondent No.1 : Mr. V.D. Bhise
...

1048 FIRST APPEAL NO. 2898 OF 2017

THE EXECUTIVE ENGINEER, MAALGAON DAM, DIVISION NO.10, PARBHANI AND ORS
VERSUS
GHYANSHYAM NARAYANRAO SONNKAR AND ANR
...
Advocate for Appellants : Mr. Patil Ruturaj C.
Advocate for Respondents : Mr. Vijay Jogdand patil
...

1049 FIRST APPEAL NO. 3193 OF 2017

THE EXECUTIVE ENGINEER, MAALGAON DAM, DIVISION NO.10, PARBHANI AND ORS
VERSUS
SITARAM NARAYANRAO SONNEKA AND ORS
...
Advocate for Appellants : Mr. Patil Ruturaj C.
Advocate for Respondents : Mr. V.D. Bhise
...

1050 FIRST APPEAL NO. 3718 OF 2017

THE EXECUTIVE ENGINEER, MAALGAON DAM, DIVISION NO.10, PARBHANI AND ORS
VERSUS
NANDKISHORE PUSARAM PARTAN
...
Advocate for Appellants : Mr. Patil Ruturaj C.
Advocate for Respondents : Mr. V.D. Bhise
….

1051 FIRST APPEAL NO. 3719 OF 2017

THE EXECUTIVE ENGINEER, MAALGAON DAM, DIVISION NO.10, PARBHANI AND ORS
VERSUS
BALKISHAN PUSARAM PARTANI ND ORS
...
Advocate for Appellants : Mr. Patil Ruturaj C.
….

1052 FIRST APPEAL NO. 3720 OF 2017

THE EXECUTIVE ENGINEER, MAALGAON DAM, DIVISION NO.10,

PARBHANI AND ORS
VERSUS
KEDARNATH MOTILAL LOYA ANDANR
...
Advocate for Appellants : Mr. Patil Ruturaj C.
Advocate for Respondents : Mr. R.P. Survase
….

1053 FIRST APPEAL NO. 3721 OF 2017

THE EXECUTIVE ENGINEER, MAALGAON DAM, DIVISION NO.10,
PARBHANI AND ORS
VERSUS
URMILA PRADIPKUMAR DAGA AN ORS
...
Advocate for Appellants : Mr. Patil Ruturaj C.
Advocate for Respondents : Mr. V.D. Bhise
...

1054 FIRST APPEAL NO. 5096 OF 2017

THE EXECUTIVE ENGINEER, MAALGAON DAM, DIVISION NO.10,
PARBHANI AND ORS
VERSUS
SUNIL ANANTRAO KULKARNI
...
Advocate for Appellants : Mr. Patil Ruturaj C.
Advocate for Respondents : Mr. V.D. Bhise
...

1055 FIRST APPEAL NO. 358 OF 2018

THE EXECUTIVE ENGINEER, MAALGAON DAM DIVISION
NO.10,PARBHANI AND ORS
VERSUS
DATTATRYA VISHAMBHAR KULKANI
...
Advocate for Appellants : Mr. Patil Ruturaj C.
Advocate for Respondents : Mr. V.D. Bhise and Mr. M.M. Patil Beedkar
...

1056 FIRST APPEAL NO. 359 OF 2018

THE EXECUTIVE ENGINEER, MAALGAON DAM, DIVISION NO.10,
PARBHANI AND ORS
VERSUS
SHARDABAI GANPATRAO BHOSAL
...
Advocate for Appellants : Mr. Patil Ruturaj C.
Advocate for Respondents : Mr. V.D. Bhise and Mr. M.M. Patil Beedkar
...

1057 FIRST APPEAL NO. 360 OF 2018

THE EXECUTIVE ENGINEER, MAALGAON DAM, DIVISION NO.10, PARBHANI AND ORS
VERSUS
PRABHAKAR ASHROBA NIRWAL
...
Advocate for Appellants : Mr. Patil Ruturaj C.
Advocate for Respondents : Mr. V.D. Bhise and Mr. M.M. Patil Beedkar
...

1058 FIRST APPEAL (STAMP) NO. 5465 OF 2016

THE EXECUTIVE ENGINEER, MAALGAON DAM, DIVISION NO.10, PARBHANI AND ORS
VERSUS
VARAD SANJAY NAIK U/G OF HS FATHER SANJAY VYANKATESHNAIK
...
Advocate for Appellants : Mr. Patil Ruturaj C.
...

1059 FIRST APPEAL (STAMP) NO. 9282 OF 2016
WITH CA/6278/2016 IN FAST/9282/2016 WITH CAST/10514/2018 IN FAST/9282/2016 WITH CAST/10516/2018 IN FAST/9282/2016

THE EXECUTIVE ENGINEER, MAALGAON DAM, DIVISION NO. 10, PARBHANI AND ORS
VERSUS
SADASHIV BALIRAM GUNJKAR AD ANR
...
Advocate for Appellants : Mr. Patil Ruturaj C.
...

1060 FIRST APPEAL (STAMP) NO. 10895 OF 2017

EX. ENGINEER, MAJALGAON CAAL DIVISION NO.10 PARBHANIUNDER GMIDC AURANGABAD AND
VERSUS
NAMDAR KHAN HUSSAIN KHAN AD ANR
...
Advocate for Appellants : Mr. B.R. Surwase
Advocate for Respondents : Mr. V.D. Bhise
….

1061 FIRST APPEAL (STAMP) NO. 11001 OF 2017

EX. ENGINEER, MAJALGAON CAAL DIVISION NO.10 PARBHANIUNDER GMIDC AURANGABAD AND
VERSUS
AFSAR KHAN HUSSAIN KHAN
...
Advocate for Appellants : Mr. B.R. Surwase

...

1062 FIRST APPEAL (STAMP) NO. 11007 OF 2017

EX. ENGINEER, MAJALGAON CAAL DIVISION NO.10 PARBHANIUNDER GMIDC AURANGABAD AND
VERSUS
ANKUSH GANPATRO HOGE AND OS
...
Advocate for Appellants : Mr. B.R. Surwase
...

1063 FIRST APPEAL (STAMP) NO. 11013 OF 2017

EX. ENGINEER, MAJALGAON CAAL DIVISION NO.10 PARBHANIUNDER GMIDC AURANGABAD AND
VERSUS
JAYANT KISHANRAO DIGRASKARAND ANR
...
Advocate for Appellants : Mr. B.R. Surwase
...

1064 FIRST APPEAL (STAMP) NO. 11020 OF 2017

EX. ENGINEER, MAJALGAON CAAL DIVISION NO.10 PARBHANIUNDER GMIDC AURANGABAD AND
VERSUS
PRAVIN VITTHALRAO AGLAWE
...
Advocate for Appellants : Mr. B.R. Surwase
Advocate for Respondents :Mr. V.D. Bhise
...

1065 FIRST APPEAL (STAMP) NO. 23420 OF 2017

EX. ENGINEER, MAJALGAON CAAL DIV. NO. 10, PARBHANI UNDER GMIDC AURANGABAD AND OR
VERSUS
GUNAJI VISHWANATH RASVE AN ORS
...
Advocate for Appellants : Mr. B.R. Surwase
...

1066 FIRST APPEAL (STAMP) NO. 23534 OF 2017

EX. ENGINEER, MAJALGAON CAAL DIV. NO. 10, PARBHANI UNDER GMIDC AURANGABAD AND OR
VERSUS
MUTAHIR ALI KHAN MOHJAN AL KHAN
...
Advocate for Appellants : Mr. B.R. Surwase
...

1067 FIRST APPEAL (STAMP) NO. 23537 OF 2017

EX. ENGINEER, MAJALGAON CAAL DIV. NO. 10, PARBHANI UNDER GMIDC AURANGABAD AND OR
VERSUS
RAHAMAT ALI KHAN AJIJ ALI HAN
...
Advocate for Appellants : Mr. B.R. Surwase
...

1068 FIRST APPEAL (STAMP) NO. 23541 OF 2017

EX. ENGINEER, MAJALGAON CAAL DIV. NO. 10, PARBHANI UNDER GMIDC AURANGABAD AND OR
VERSUS
TADVI SIKANDAR ALI KHAN AJJ ALI KHAN
...
Advocate for Appellants : Mr. B.R. Surwase
...

1069 FIRST APPEAL (STAMP) NO. 23547 OF 2017

EX. ENGINEER, MAJALGAON CAAL DIV. NO. 10, PARBHANI UNDER GMIDC AURANGABAD AND OR
VERSUS
HINA FATEMA SAYYAD AZAM
...
Advocate for Appellants : Mr. B.R. Surwase
...

1070 FIRST APPEAL (STAMP) NO. 23552 OF 2017

EX. ENGINEER, MAJALGAON CAAL DIV. NO. 10, PARBHANI UNDER GMIDC AURANGABAD AND OR
VERSUS
GULAM ALI KHAN S/O AJIJ AL KHAN
...
Advocate for Appellants : Mr. B.R. Surwase
...

1071 FIRST APPEAL (STAMP) NO. 23562 OF 2017

EX. ENGINEER, MAJALGAON CAAL DIV. NO. 10, PARBHANI UNDER GMIDC AURANGABAD AND OR
VERSUS
MINAJ KHATUN D/O AFZAL ALIKHAN AND ANR
...
Advocate for Appellants : Mr. B.R. Surwase
...

1072 FIRST APPEAL (STAMP) NO. 23566 OF 2017

EX. ENGINEER, MAJALGAON CAAL DIV. NO. 10, PARBHANI UNDER GMIDC AURANGABAD AND OR
VERSUS
KHATIJABEE D/O MUKHTAR ALIKHAN U/G REAL MOTHER MANJUM JAHAN W/O MUKHTAR ALI KHAN
...
Advocate for Appellants : Mr. B.R. Surwase

907 (SB) FIRST APPEAL NO. 1321 OF 2016

EX. ENGINEER, NIMNA DUDHNA PROJECT, DIVISIN SAILU AND ORS
VERSUS
VITTHAL TUKARAM KHOSE AND ANOTHER

.....
Advocate for the appellants: Mr. Shyam C. Arora
Advocate for respondent-claimants: Mr. V.D. Bhise

...
AGP for Respondent-State authorities in all matters: Mr. B.V. Virdhe
....

(45)

O R D E R

1. Mr. Bharat Ramkisan Singade, Executive Engineer, Majalgaon Canal Division No.10, Parbhani is present before the panel. Mr. B.R. Survase, Mr. Ruturaj C. Patil, Mr. S.S. Thombre and Mr. S.C. Arora, learned counsel appearing for the appellant-acquiring body, Mr. V.D. Bhise, Mr. M.M. Patil Beedkar, Mr. R.P. Survase and Mr. N.K. Tungar, 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. B.R. Survase, Mr. Ruturaj C. Patil, Mr. S.S. Thombre and Mr. S.C. Arora, learned counsel appearing for the appellant-acquiring

body, in respective appeals, 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. B.R. Survase, Mr. Ruturaj C. Patil, Mr. S.S. Thombre and Mr. S.C. Arora, 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 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. n view of above, leave granted. All first appeals are disposed of as withdrawn. Court fees be refunded as per Rules. Pending civil applications, if any, are also disposed of. Statutory benefits be extended in accordance with law.

5. Mr. B.R. Survase, Mr. Ruturaj C. Patil, Mr. S.S. Thombre and Mr. S.C. Arora, learned counsel for the appellant-acquiring body, on instructions, submit that the amount at the enhanced rate as awarded by the reference court, if any, will be deposited within six months from today. The amount if paid in excess be refunded to the acquiring body.

6. In so far the first appeal No. 668 of 2017 is concerned, learned counsel appearing for the respondents-claimants submits that during pendency of the said first appeal, the respondent-original claimant died and his legal representatives are yet to be taken on record. However, since entire group arising out of the same project is disposed of in terms of the settlement, as aforesaid, the respondents-claimants in the said appeal are at liberty to file civil application for bringing legal representatives on record even in the disposed of appeal.

(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

vsm/