

**IN THE NATIONAL LOK ADALAT PRESIDED OVER BY
HON'BLE SHRI JUSTICE V. K. JADHAV,
HELD ON 8TH SEPTEMBER, 2018,
AT HIGH COURT LEGAL SERVICES SUB-COMMITTEE AT
AURANGABAD**

44 FIRST APPEAL NO. 1167 OF 2013

GANPAT THANSING GIRASE THE COURT OF LOK ADALAT
VERSUS
THE STATE OF MAHARASHTRA AND ANR

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45 FIRST APPEAL NO. 1169 OF 2013

HATESING GAJESING RAJPUT
VERSUS
THE STATE OF MAHARASHTRA AND ANR

.....

46 FIRST APPEAL NO. 2131 OF 2013

VIJAYSING BHUTA GIRASE
VERSUS
THE STATE OF MAHARASHTRA AND ANR

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47 FIRST APPEAL NO. 2171 OF 2013
WITH FA/2172/2013 WITH FA/2173/2013 WITH FA/2174/2013 WITH
FA/2175/2013 WITH FA/2176/2013 WITH FA/2177/2013 WITH
FA/2178/2013 WITH FA/2179/2013 WITH FA/2180/2013

PRATAPSINGH SARDARSINGH RAJPUT, DIED THR. L.RS. HAMBARSINGH,
DIED THR. L.RS. RAJE
VERSUS
THE STATE OF MAHARASHTRA AND ANR

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53 X-OBJECTION (STAMP) NO. 744 OF 2013
IN FA/1669/2010

INDRASINH SHANKARSINH GIRASE
VERSUS
THE STATE OF MAHARASHTRA AND ANR

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54 X-OBJECTION (STAMP) NO. 747 OF 2013

IN FA/943/2010

ASHOK GOTESING RAJPUT
VERSUS
THE STATE OF MAHARASHTRA AND ANR

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55 X-OBJECTION (STAMP) NO. 5214 OF 2013
IN FA/2410/2012

DASHRATH BHUTA GIRASE
VERSUS
THE EXECUTIVE ENGINEER MEDIUM IRRIGATION DIVISION-1, DHULE
AND ANOTHER

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56 X-OBJECTION (STAMP) NO. 11967 OF 2013
IN FA/941/2010

ANANDSINH SURTA GIRASE AND ORS
VERSUS
THE EXECUTIVE ENGINEER, DHULE MEDIUM IRRIGATION PROJECT NO.
1 AND ANOTHER

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57 X-OBJECTION (STAMP) NO. 12774 OF 2013
IN FA/1704/2010

PREMSINH HAMBARSINH GIRASE(DEAD) LRS NAVALSINH
HAMBARSINH GIRASE AND ORSTHE COURT OF LOK ADALAT
VERSUS
THE EXECUTIVE ENGINEER, DHULE MEDIUM PROJET NO. 1

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58 X-OBJECTION (STAMP) NO. 12776 OF 2013
IN FA/1705/2010

CHANDERSINGH GOTESINGH RAJPUT
VERSUS
THE EXECUTIVE ENGINEER, DHULE MEDIUM PROJET NO. 1 AND
ANOTHER

60 FIRST APPEAL (STAMP) NO. 29295 OF 2015

PITAMBAR JUGRAJ PATIL AND OTHERS
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER, DHULE AND ANOTHER

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61 FIRST APPEAL (STAMP) NO. 29298 OF 2015

HILAL PRABHAT PATIL
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER, DHULE AND ANOTHER
.....

62 FIRST APPEAL (STAMP) NO. 29300 OF 2015

DAMU PARBAT PATIL DIED THR LRS VISHWAS DAMU PATIL
ANDOTHERS
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER, DHULE AND ANOTHER
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63 FIRST APPEAL (STAMP) NO. 29304 OF 2015

YADAV HILAL PATIL
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER DHULE AND ANOTHER
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64 FIRST APPEAL (STAMP) NO. 29306 OF 2015

SHYAM NARAYAN PATIL AND OTHERS
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER DHULE AND ANOTHER
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65 FIRST APPEAL (STAMP) NO. 29308 OF 2015

DAGDU BHIVSAN PATIL THE COURT OF LOK ADALAT
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER DHULE AND ANOTHER 0
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66 FIRST APPEAL (STAMP) NO. 29310 OF 2015

SUBHASH HILAL PATIL
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER DHULE AND ANOTHER
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67 FIRST APPEAL (STAMP) NO. 29314 OF 2015

SUBHASH SANTOSH PATIL AND OTHERS
VERSUS

THE SPECIAL LAND ACQUISITION OFFICER DHULE AND ANOTHER
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68 FIRST APPEAL (STAMP) NO. 29316 OF 2015

BHIKAN NARAYAN PATIL
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER DHULE AND ANOTHER
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69 FIRST APPEAL (STAMP) NO. 29318 OF 2015

DHUDKU DODHU PATIL DEAD THR HIS LRS PARSHARAM AND OTHERS
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER DHULE AND ANOTHER
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70 FIRST APPEAL (STAMP) NO. 29323 OF 2015

BHAGWAN SITARAM PATI DIED THR HIS LRS RANGRAO AND OTHERS
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER NO.1 DHULE
MINORIRRIGATION PROJECT AND ANOT
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71 FIRST APPEAL (STAMP) NO. 29325 OF 2015

RAMRAO BABURAO PATIL
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER DHULE AND ANOTHER
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72 FIRST APPEAL (STAMP) NO. 29327 OF 2015

PUNDA FULA PATIL DIED THR HIS LRS MANOHAR PUNDA PATIL
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER DHULE AND ANOTHER
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73 FIRST APPEAL (STAMP) NO. 29329 OF 2015

BHAGWAN DHONDU PATIL AND OTHERS
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER DHULE AND ANOTHER
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74 FIRST APPEAL (STAMP) NO. 29331 OF 2015

VITTHAL SHAMRAO PATIL DEAD THE COURT OF LOK ADALATTHR HIS
LRS DNYANESHWAR VITTHAL PATIL
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER NO.1 DHULE, MINOR
IRRIGATION PROJECT AND ANO

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75 FIRST APPEAL (STAMP) NO. 29335 OF 2015

GIRDHAR DAGA PATIL
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER DHULE AND ANOTHER

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76 FIRST APPEAL (STAMP) NO. 29337 OF 2015

KHANDU DODHA PATIL DIED THR HIS LRS CHUDAMAN AND OTHERS
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER DHULE AND ANOTHER

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77 FIRST APPEAL (STAMP) NO. 29339 OF 2015

RAJU CHAITRAM PATIL AND ANOTHER
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER DHULE AND ANOTHER

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78 FIRST APPEAL (STAMP) NO. 29342 OF 2015

HILAL PARBHAT PATIL AND ANOTHER
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER NO.1 DHULE
MINOR IRRIGATION PROJECT AND ANOT

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79 FIRST APPEAL (STAMP) NO. 29343 OF 2015

KAMLAKAR BHIMRAO PATIL AND OTHERS
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER NO.1 DHULE AND ANOTHER

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Advocate for Appellant : Mr. Kale Ajeet B.
AGP for Respondent No.1: Mr. R.B. Bagul
Advocate for Respondent-acquiring body : Mr. A. D. Pawar

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O R D E R

1. Shri R.S. Badgujar, Executive Engineer, Dhule Medium Project, Dhule, is present in person before the panel. Mr. A.B. Kale, learned counsel appearing for the appellants-claimants, Mr. R.B. Bagul, learned A.G.P. for the respondent State and Mr. A.D. Pawar, learned counsel appearing for respondent-acquiring body are also present.

2. 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 Badgujar, Executive Engineer, Dhule Medium Project, Dhule, Mr. A.B. Kale, learned counsel appearing for the appellants-claimants, Mr. R.B. Bagul, 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 Shri Badgujar, the Executive Engineer, as aforesaid, and also signatures of Mr. A.B. Kale, learned counsel appearing for the appellants-claimants, Mr. R.B. Bagul, 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 "X" for identification.

3. The present group of cross objections/appeals relate to the acquisition of lands for Wadishevadi, 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.

4. 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 "Y" for identification.

5. 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.

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

7. Award/Decree be drawn up in terms of the chart/compromise placed on record, as aforesaid.

8. 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.

(K.C.Sant)
Advocate
Member

(V.B. Mantri)
D.J.(Retd.)
Member

(V. K. Jadhav, J.)
Head of the Panel

Date: 08.09.2018
Place: Aurangabad

rlj/

Rangnath
Laxmanrao
Jadhav

Digitally signed by
Rangnath
Laxmanrao Jadhav
Date: 2018.09.19
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