

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
IN THE COURT OF NATIONAL LOK ADALAT
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 154 OF 1995

The State of Maharashtra. ... Appellant.
V/s.
Shri Laxman D. Patil (since deceased through
legal heirs Dhananjay Laxman Patil and other. ... Respondents.

Mr.Ameet A. Palkar, AGP for the appellant- State.
Mr.S.K.Rokade for the respondents.

CORAM : A.S. OKA, J (HEAD OF THE PANEL)
A..M.CHANDEKAR, PROTHONOTARY AND SENIOR
MASTER, MEMBER AND K.K.TRIVEDI, ADDITIONAL
PROTHONOTARY AND SENIOR MASTER, MEMBER.

DATED : 8th September 2018.

P.C.:

The consent terms duly signed on 14th April 2018 are taken on record and marked "X" for identification. The consent terms have been duly signed by the Land Acquisition Officer, Metro Centre-3, Thane and the respondent No.1 for himself and as a constituted attorney of the other three respondents. Respondent No.1 is present in the Court. The consent terms are also signed by the learned Addl.Government Pleader and the advocate for the respondents. An attested copy of the power of attorney executed by the respondent No.4 is annexed to the consent terms.

2. Hence, the appeal is disposed of by passing the following order:

(i) There shall be a decree in terms of the consent terms;

- (ii) The decree shall be drawn within a period of one month from the date this order is uploaded on the server. Thereafter, a writ along with R & P shall be immediately forwarded to the concerned Reference Court;
- (iii) The Reference Court shall determine the amount payable as per the modified award within a period of three months from the date on which writ of this order is received by the Reference Court. The Reference Court will hear the parties before the determination of the amount. The amount so determined shall be deposited by the appellant- State Government with the Reference Court within a period of three months from the date the amount is so determined;
- (iv) While depositing the amount, the State Government will deduct the amount which would have been payable on cross objection by way of court fee by calculating the claim amount at the rate of Rs.15/- per sq.meter;
- (v) In the event the compensation amount is not deposited by the appellant- State Government within the stipulated period, the respondents are free to move appropriate Court for seeking consequential reliefs.

(A.S. OKA, J)
HEAD OF THE PANEL

(A.M. CHANDEKAR)
MEMBER

(K.K. TRIVEDI)
MEMBER