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

FIRST APPEAL NO.1566 OF 2007
WITH
CROSS OBJECTION (ST) NO.17205 OF 2007

The State of Maharashtra ... Appellant
V/s.
Ramchandra Chambharya Bhagat and Ors. ... Respondents

Mr. Ameet A. Palkar, AGP for the Appellant and for Respondents in XOBST.

Mr. G.H. Keluskar for the Appellant in XOBST and for Respondents in FA.

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. :

1 The learned counsel appearing for the respondents states that all the respondents are personally present in the Court. Consent terms are tendered on record and marked 'X' for identification. The learned counsel appearing for the respondents stated that there is an inadvertent error while incorporating the name of the seventh respondent who is the seventh claimant in the Land Acquisition Reference No.21 of 1996. Her surname is erroneously shown as

'Patil' and her correct surname is 'Gharat'. Smt. Ashwini Patil, Deputy Collector, Land Acquisition, Metro Centre No.1, Uran is present today has seen the documents produced by the learned counsel appearing for the respondents. The learned AGP states that the contention that there is a mistake in the surname of the seventh respondent – seventh claimant is correct.

2 The consent terms are signed by the learned AGP as well as the said Deputy Collector (Land Acquisition) Metro Centre No.1, Uran as per the authority granted by the District Collector. Consent terms bear signature/thumb impressions of the respondents.

3 Accordingly, we dispose of the Appeal and Cross-Objection by passing the following order :-

ORDER

- (i) Appeal and Cross-Objection are disposed of in terms of the consent terms taken on record and marked 'X' for identification;
- (ii) We direct the appellant to carry out amendment for correcting the name of the seventh respondent as 'Gharat'. Amendment shall be carried out within a period of three weeks from the date on which this order is uploaded;
- (iii) Award shall be drawn within a period of six weeks from the date on which this order is uploaded. Immediately after Award is drawn, writ of this order and R & P be forwarded to the

reference Court;

- (iv) On receipt of the writ and R & P, the reference Court shall permit the respondents to amend the cause title of the reference under Section 18 of the Land Acquisition Act, 1894 for correcting the surname of the seventh respondent – seventh claimant as 'Gharat'. Accordingly, correction be carried out to the Judgment and Award of the reference Court;
- (v) Both the appellant and the respondents are entitled to refund of Court fees on Appeal and Cross-Objection respectfully as per the Rules.

(K.K. TRIVEDI)
MEMBER

(A.M. CHANDEKAR)
MEMBER

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