

Santosh

BEFORE NATIONAL LOK ADALAT

FIRST APPEAL NO. 393 OF 2012

The State of Maharashtra

...Appellant

Versus

Yashwant Nana Mahalae & anr.

...Respondents

Mr. Ameet Palkar, AGP for the Appellant/State.

Ms. Chaitrali Deshmukh, for GMIDC, Intervener.

CORAM: SMT. BHARATI H. DANGRE, J
C. D. GONGLE (Retired DJ) &
M. S. LONE (Dy. Registrar)

DATED: 8th December, 2018

PC:-

1. Today the consent terms drawn between the Godawari Marathwada Irrigation Development Corporation through its Executive Engineer, Minor Irrigation Division, Nashik and the original claimants are placed on record. Consent terms are taken on record and marked 'X' for identification.

2. The consent terms are signed by the representative of the State of Maharashtra/appellant and the AGP. Similarly the claimants have put their thumb impressions and signatures, which have been identified by their respective Advocate.

3. In the said consent terms, it is stated that the appellant and respondents have amicably agreed to settle the matter and terms of consent read as under:

- (4) The claimant/Land owners/Respondents are entitled to withdraw the amount from Reference Court, to the extent to which they

are entitled as per the Award passed by Ld. Reference Court.

- (5) As per the settlement the respondents waive the rental compensation of Rs.16,968/0 in favour of acquiring body.
- (6) The Respondents declared that, they had not filed any appeal/cross appeal or cross objections till date and they will not file any appeal/cross appeal or cross objection in future in respect of the suit land.
- (7) if the Respondent had already filed any appeal/cross appeal or cross objections, they will withdraw the same.
- (8) In case of bank guarantee has been furnished by the original claimant the same stands discharged. The Reference Court will issue intimation of cancellation of bank guarantee to concern Court.
- (9) In case if the original claimant is dead, the legal heirs may be permitted to be brought on record by filing Affidavit before the learned Reference Court within one month from today.

4. In terms of the settlement before us, the First Appeal stands disposed of. It is also declared that the appellant is entitled for the refund of court-fees paid on the appeal as per rule.

(M. S. LONE) (C. D. GONGLE) (SMT.BHARATI. H. DANGRE, J)