

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

FIRST APPEAL NO. 73 OF 1995

The State of Maharashtra and others. ... Appellants.  
V/s.  
Shri Ramdas Hari Patil & others. ... Respondent.

Mr.A.R.Patil, Addl.GP for the appellant- State.  
Ms.Rupali L. Dhivar i/b. K.N.Kore for the respondents.

CORAM : A.S.OKA, J (HEAD OF THE PANEL)  
S.R. KHANZODE, RETIRED DISTRICT &  
SESSIONS JUDGE, MEMBER AND  
A.N. MARE, REGISTRAR, MEMBER.

DATED : 10<sup>th</sup> February 2018.

P.C. :

The consent terms are tendered across the bar. The same are taken on record and marked "X" for identification. The consent terms bears signature of the learned Addl.GP for the State and Ms.Sangita Takle, Deputy Collector (LAQ), Metro-3, Thane. The consent terms have been signed by Shri Manohar Ramdas Patil who is the constituted attorney of all the respondents. He himself is one of the legal representatives of the original respondent. The original power of attorney produced by Shri Manohar Ramdas Patil is personally verified by the Deputy Collector (LAQ), Metro-3, Thane. She has also verified the documents of identity of Shri Manohar Ramdas Patil who is personally present in the Court.

2. As per the consent terms, the appellant- State of Maharashtra has agreed to pay the market value at the rate of Rs.12/- per sq.meter and therefore, by consent, the parties are seeking modification of the impugned award only to that extent.

3. Hence, we pass the following order:

- (i) The appeal is disposed of in terms of the consent terms;
- (ii) The impugned judgment and award stands modified in terms of the consent terms only to the extent of market value which shall now be payable at the rate of Rs.12/- per sq.meter. The rest of the award is maintained;
- (iii) The Reference Court shall determine the total amount payable to the respondents in terms of the modified award within a period of three months from the date on which the writ of order is received by the said Court. Within a period of three month from the date on which the amount is determined, the excess amount shall be deposited by the State Government with the Reference Court which shall be permitted to be withdrawn by the respondents;
- (iv) An award/decreed be drawn in terms of the consent terms which shall contain aforesaid directions;
- (v) The appellant shall be entitled to refund of court fee as per rules.

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

(S.R.KHANZODE)  
MEMBER

(A.N. MARE)  
MEMBER