

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BEFORE THE NATIONAL LOK ADALAT
CIVIL APPELLATE JURISDICTION
FIRST APPEAL NO.208 OF 2004

The State of Maharashtra ..
Appellant
Versus
Gajanan Hiru Keni, since
deceased through Kamlibai
Gajanan Keni & others .. Respondents

WITH
CROSS OBJECTION ST.NO.8055 OF 2017

Gajanan Hiru Keni, since
deceased through Kamlibai
Gajanan Keni & others .. Appellants
Vs.
State of Maharashtra .. Respondent.

Mr.A.R.Patil, Addl.G.P for the Appellant in FA
Mr.Sachin S. Pune for the appellant in XOB
ST.No.8055/2017 and for the Respondents in First
Appeal and for applicants in Civil Applications.

CORAM : A.S.OKA, J (HEAD OF THE PANEL)
A.M.CHANDEKAR, PROTHONOTARY AND
SENIOR MASTER, MEMBER AND
M.S.LONE, DEPUTY REGISTRAR,
MEMBER

DATED : 14TH JULY 2018

P.C.

1 The consent terms duly signed by the Advocate for the respondents-claimants and Ms Vaishali Pardeshi-Thakur, Sub Divisional Officer, Karjat, Raigad as well as the learned Additional G.P are taken on record and marked 'X' for identification. The consent terms bear thumb impressions of the

respondent Nos.1/2 and 1/3 as well as the signatures of respondent Nos.1/4 and 1/5. The learned counsel for the respondents states that as disclosed in the Civil Applications filed in the Cross Objection, the respondent No.1/1 has since died and the rest of the respondents are her legal representatives. We accept the said statement. He further states that the respondent No.1/4 is personally present in the Court who for himself and on behalf of other respondents accepts the correctness of the contents of the consent terms.

Shubhashri
Shridhar
Pathak

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Shubhashri Shridhar
Pathak
Date: 2018.07.24
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2 Hence, we dispose of the First Appeal and the Cross Objection by passing the following order:

(I) There will be Award in terms of the consent terms tendered on record and marked 'X' for identification. However, the Award shall be drawn only after deficit Court Fees on Cross Objection are paid by the respondents within the time fixed as per the order passed today in the Civil Applications. If deficit Court fees are not paid within stipulated time, the appeal shall be listed before the next National Lok Adalat to be held on 8th September 2018.

(II) If the deficit Court fees on cross objections are deposited/paid within stipulated time, the Award shall be drawn within a period of one month from the date on which deficit Court fees are paid/deposited;

(III) Writ of this order and Record and Proceedings shall be transmitted to the Reference Court within a

period of two months from the date on which deficit Court fees are paid/deposited;

(IV) Both the Appellants and the respondents will be entitled to refund of Court fees on the appeal and cross objection respectively as per the Rules.

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

(A.M.CHANDEKAR)
MEMBER

(M.S.LONE)
MEMBER