

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAF) NO.3352 OF 2017

AND

FIRST APPEAL ST. NO.15467 OF 2017

(EXECUTIVE ENGINEER, LOWER WARDHA PROJECT DN....VS.. SUDAM PUNJAB RAUT (DEAD) THR.
 LRS & OTH.)

 Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Shri B.N.Jaipurkar, Advocate for Appellant.
 Shri C.R.Najbile, Advocate for Respondent Nos.1(A) to 1(D).
 Shri Mangesh Kadu, A.G.P. for Respondent Nos. 2 and 3.

CORAM : Z.A.HAQ, J.

DATED : APRIL 03, 2018.

CIVIL APPLN.NO. 3352/2014.

Accepting the explanation given in the application, delay of 141 days in filing the appeal is condoned.

The civil application is **allowed** accordingly. No costs.

FIRST APPEAL ST. NO.15467/2017.

Taken up for hearing on admission.

Issue notice for final disposal, returnable on 6th
July, 2018.

Shri C.R.Najbile, advocate waives notice for the respondent Nos. 1(A) to 1(D) and Shri Mangesh Kadu, A.G.P. waives notice for the respondent Nos. 2 and 3.

Call R & P.

The learned advocate for the appellant, learned advocate for the respondent Nos.1(A) to 1(D)/ Claimants and learned A.G.P. jointly request to place the matter before the ensuing National Lok Adalat.

Office to place the matter before the National Lok Adalat scheduled on 22nd April, 2018.

The authorized representatives of the appellant and respondent Nos. 2 & 3, and respondent Nos.1(A) to 1(D)/claimants shall appear before the National Lok Adalat on 22nd April, 2018 at 11.00 a.m.

CIVIL APPLN.NO.3353/2017 & CIVIL APPLN.NO.120/2018

The appellant has deposited the amount as per the impugned award. The interim order granted on 16th August, 2017 shall continue until further orders. The learned advocate for the appellant has submitted that the valuation of the acquired land as per ready reckoner was Rs.39,000/- per hectare on the date of issuance of notification under Section 4 of the Land Acquisition Act, 1894. The reference Court has granted compensation @ Rs.2,00,000/- per hectare.

Considering the facts of the case, the respondent Nos.1(A) to 1(D) are permitted to withdraw Rs.12,00,000/- from the amount deposited by the appellant with the Registry of this Court. The balance amount be kept in fixed deposit in a nationalized bank until further orders.

The civil applications are **disposed** accordingly.
No costs.

JUDGE