

**IN THE NATIONAL LOK ADALAT PRESIDED OVER BY
HON'BLE SHRI JUSTICE V. K. JADHAV,
HELD ON 13TH JULY, 2019,
AT HIGH COURT LEGAL SERVICES SUB-COMMITTEE AT
AURANGABAD**

40 CIVIL APPLICATION NO.2120 OF 2015
IN FAST/2877/2015 WITH CA/2121/2015 IN FAST/2877/2015 WITH
CA/2122/2015 IN FAST/2877/2015 WITH CA/2123/2015 IN FAST/3286/2015
WITH CA/2124/2015 IN FAST/3286/2015 WITH CA/2125/2015 IN
FAST/3286/2015

G.M.I.D.C.LTD. THROUGH EXE ENGINEER M.I.W. MINOR IRRIGATION LATUR
AND ANOTHER

VERSUS

BABU SIDRAM DEVKATE AND ANOTHER

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Advocate for Applicants : Mr. Tope Sambhaji S.

AGP for State: Mr. A.P. Basarkar

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(02)

O R D E R

1. Shri Giriraj Kishanrao Joshi, Executive Engineer, Latur Minor Irrigation Division, Latur is present in person. Mr. Tope, learned counsel appearing for the appellant acquiring body and Mr. Basarkar, learned A.G.P. for the State, on instructions from the aforesaid officer, who is present before the panel submit that the rate awarded by the impugned judgment and award passed by the Reference Court is less than four times of the rate awarded by the Special Land Acquisition Officer. In view of above, learned counsel Mr. Tope, appearing for the appellant acquiring body on instructions of the aforesaid officer, who is present before the panel and in tune with the Government Resolution dated 03.11.2016 and subsequent Corrigendum dated 23.02.2017 and 13.08.2018 seeks leave to withdraw these first appeals.

2. Learned counsel Mr. Tope appearing for the appellant acquiring body, on instructions submits that the acquiring body has deposited the entire amount before the executing court in terms of the enhanced award passed by the reference court and the said amount has been withdrawn by the respondents-original claimants.

3. The Government has already taken policy decision to settle the dispute finally which squarely falls in the category as explained in the Government Resolutions dated 03.11.2016 and subsequent Corrigendum dated 23.02.2017 and 13.8.2018. In view of the above, leave granted. All first appeals are disposed of as withdrawn. The Court Fees be refunded as per rules. The pending Civil Applications, if any, are also disposed of accordingly.

4. The respondents original claimants are at liberty to file an application for bringing the legal heirs/representatives on record, if occasion so arises, even after disposal of the appeal/s. The amount, if paid in excess, the same shall be refunded to the acquiring body.

(K.C.Sant)
Advocate
Member

(V.B. Mantri)
D.J.(Retd.)
Member

(V. K. Jadhav, J.)
Head of the Panel

Date: 13.07.2019
Place: Aurangabad

rlj/