

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD.**

**CIVIL APPLICATION NO. 3940 OF 2019**

**IN**

**FIRST APPEAL NO. 172 OF 2018**

Jagannath Gunda More.

Appellant.

Versus

State of Maharashtra & others.

Respondents.

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Mr. L.C. Patil, Advocate for the appellant.

Mr. R.V. Dasalkar, A.G.P. for respondent Nos.1 to 3.

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**CORAM : SUNIL K. KOTWAL, J.**

**Dated : 18 March 2019.**

**ORDER :-**

. Heard learned Counsel for the applicant / claimant and learned Additional Government Pleader for the State. Learned Counsel for the applicant has pointed out that Special Darkhast No. 260 of 2011 filed by the claimant for execution of award passed by Reference Court was settled in Lok Adalat on 12 November 2016. Compromise purshis (Exh.8) shows that the claimant has waived interest after 01.05.2015 and the Acquiring Body agreed to deposit the award amount together with interest

upto 01.05.2015 before the Executing Court. In terms of that compromise even the award amount with proportionate interest is deposited before the Executing Court i.e. Civil Judge, Senior Division, Osmanabad.

2. In view of this compromise in between the parties, nothing is left in the matter. Therefore permission is granted to the claimant to withdraw the entire award amount together with accrued interest thereon which is deposited before the Executing Court.

3. Civil Application is allowed and disposed of in terms of prayer clause 'B'. Appropriate order in First Appeal No. 172 of 2018 will be passed after obtaining necessary instructions by learned A.G.P. on 5 April 2019.

**( SUNIL K. KOTWAL )**  
**JUDGE**

vdd/