

**IN THE NATIONAL LOK ADALAT PRESIDED OVER BY
HON'BLE SMT. JUSTICE VIBHA KANKANWADI
HELD ON 14th DECEMBER, 2019
AT HIGH COURT LEGAL SERVICES SUB-COMMITTEE,
AURANGABAD**

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16 FIRST APPEAL NO.3595 OF 2018
WITH
FA/3596/2018 WITH FA/3598/2018 WITH FA/3599/2018 WITH
FA/3600/2018

THE GODAVARI MARATHWADA IRRIGATION DEVELOPMENT
CORPORATION THR THE EXECUTIVE ENGINEER
VERSUS
RAJU PANDITRAO SURYAWANSHI AND OTHERS

...

Advocate for Appellant : Mr. Gaikwad Hiraji T.
Mr. S L Puri, Adv. For R/1 ;
Mr. RB Bagul, AGP for Respondents: 2 & 3

ORDER

1) Learned Advocate HT Gaikwad along with officer Mr. Giriraj Kishanrao Joshi Executive Engineer, Latur Minor Irrigation Division, Latur, is present. Advocate Mr. SL Puri is present for original claimant/s.

2) The parties agree that the compensation that has been awarded by the Reference Court is within four times of the compensation that has been awarded by the Special Land Acquisition Officer. Under such circumstance, it is covered by

BDV

Government Resolution dated 3.11.2016 along with subsequent corrigendum dated 23.2.2017 and 13.8.2018. Therefore, the acquiring body does not wish to proceed further with the matters.

3) The parties also agree that the interest under Section 28 and 34 of Land Acquisition Act, can be awarded on the compensation would be governed by the Full Bench decision of this court in the case of State of Maharashtra Vs. Kailash Shiva Rangari – 2016 (4) ALL MR 513, and State of Maharashtra Vs. Ramesh Tukaram Meshram – 2018 (1) ALL MR 645, and agree for modification of the Award to that extent. With the said modification, the award stands modified.

4) It is submitted that the acquiring body has already deposited the amount in this court. If the amount is in excess to the modified Award, that excess amount be refunded to the acquiring body and the amount as per the modified Award be paid over to the original claimants.

5) Learned Advocate for the claimants submits that the claimants have withdrawn 50% amount. The said amount be adjusted in respect of the modified Award.

6) The first appeals stand disposed of accordingly. Pending civil applications if any stand disposed of.

(SMT. VIBHA KANKANWADI, J.)
Head of Panel

(K.C.SANT)
Advocate - Member

(A.T.A.K. Shekh)
D.J.(Retd.)-Member

Date: 14.12.2019
Place: Aurangabad