

**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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75 FIRST APPEAL NO.744 OF 2018

THE EX. ENGINEER, SINA KOLEGAON PROJECT, PARANDA
AND ORS
VERSUS
BABY KISANRAO PATIL

76 FIRST APPEAL NO.746 OF 2018

THE EX. ENGINEER, SINA KOLEGAON PROJECT, PARANDA
AND ORS
VERSUS
JYOTI BHARAT SHEJAL

...

77 FIRST APPEAL NO.747 OF 2018

THE EX. ENGINEER, SINA KOLEGAON PROJECT, PARANDA
AND ORS
VERSUS
SHAILAJA KISANRAO PATIL

...

78 FIRST APPEAL NO.749 OF 2018

THE EX. ENGINEER, SINA KOLEGAON PROJECT, PARANDA
AND ORS
VERSUS
MANISH KISANRAO PATIL

...

79 FIRST APPEAL NO.750 OF 2018

THE EX. ENGINEER, SINA KOLECOURT OF LOK ADALATGAON
PROJECT, PARANDA AND ORS
VERSUS
JAISHREE SHAMRAO DESHMUKH 14/12

...

80 FIRST APPEAL NO.751 OF 2018

THE EX. ENGINEER, SINA KOLEGAON PROJECT, PARANDA
AND ORS
VERSUS
TANUJA KISANRAO PATIL

...

81 FIRST APPEAL NO.753 OF 2018

THE EX. ENGINEER, SINA KOLEGAON PROJECT, PARANDA
AND ORS
VERSUS
LAXMAN DATTATRAYA GIRI

...

Advocate for Appellants : Rajale Gulab B.
Mr. AM Phule, AGP for State.
Mr. AS More, Advocate for Respondent/Claimants

ORDER

1) Mr. Somshekhar Karbasappa Harsure – Executive Engineer, Sina Kolegaon Project is present with Advocate Shri GB Rajale appearing for the acquiring body. Learned Advocate Mr. AS More is present for respective respondent-claimant.

2) Both the parties agree that the present matters are squarely covered by Government Resolution dated 3.11.2016 along with subsequent corrigendum dated 23.2.2017 and 13.8.2018, as the

compensation that has been awarded by the Reference Court, is within four times of the compensation granted by the Special Land Acquisition officer.

3) Both the parties further agree that the interest that can be awarded on the compensation is to be in view of 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, i.e. the interest under Section 28 and 34 would be from the date of the Award and not from the date of possession or notification under Section 4 of the Land Acquisition Act, 1894.

4) Both the parties, therefore, agree for modification of the Award to that extent. The Award be modified to that extent.

5) In view of the above, all the appeals stand disposed of as compromised. Pending civil applications, if any, stand disposed of.

6) It is informed that the entire amount is

deposited in this Court. Excess amount, as per the modified Award, be refunded to the acquiring body and the amount as per the Award be given to the claimants.

7) Refund of court fees as per the Rules.

(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