

**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**

1 FIRST APPEAL NO.767 OF 2012
WITH FA/766/2012 WITH FA/768/2012

THE STATE OF MAHARASHTRA AND ANR
VERSUS
AJMODDIN GHUDUSAB SHAIKH AND ORS

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2 CIVIL APPLICATION NO.6837 OF 2013
IN FAST/9851/2013 WITH CA/6838/2013 IN FAST/9851/2013 WITH
CA/6839/2013 IN FAST/9958/2013 WITH CA/6840/2013 IN FAST/9958/2013
WITH CA/6842/2013 IN FAST/9955/2013 WITH CA/6843/2013 IN
FAST/9955/2013 WITH CA/6844/2013 IN FAST/9952/2013 WITH
CA/6845/2013 IN FAST/9952/2013

THE STATE OF MAHARASHTRA AND OTHERS
VERSUS
VITHAL SAMBHAJI MANDWAD

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3 CIVIL APPLICATION NO.4318 OF 2013
IN FAST/33259/2012 WITH CA/4319/2013 IN FAST/33259/2012 WITH
CA/4320/2013 IN FAST/33318/2012 WITH CA/4321/2013 IN FAST/33318/2012
WITH CA/4322/2013 IN FAST/33322/2012 WITH CA/4323/2013 IN
FAST/33322/2012 WITH CA/4324/2013 IN FAST/33326/2012 WITH
CA/4325/2013 IN FAST/33326/2012 WITH CA/4326/2013 IN FAST/33314/2012
WITH CA/4327/2013 IN FAST/33314/2012 WITH CA/4328/2013 IN
FAST/33310/2012 WITH CA/4329/2013 IN FAST/33310/2012

THE STATE OF MAH AND ANR
VERSUS
RANGNATH BHIMRAO YERME

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4 FIRST APPEAL NO.1540 OF 2018
WITH CA/13056/2009 IN FA/1540/2018 WITH FA/1541/2018 WITH
CA/13052/2009 IN FA/1541/2018 WITH FA/1542/2018 WITH CA/13058/2009
IN FA/1542/2018 WITH FA/1543/2018 WITH CA/13054/2009 IN FA/1543/2018

THE STATE OF MAH AND ORS
VERSUS
BABAN NARSING KADAM

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5 FIRST APPEAL NO.2204 OF 2016
WITH CA/4629/2011 IN FA/2204/2016 WITH FA/2205/2016 WITH
CA/4633/2011 IN FA/2205/2016 WITH FA/2206/2016 WITH CA/4635/2011 IN
FA/2206/2016 WITH FA/2207/2016 WITH CA/4631/2011 IN FA/2207/2016
WITH FA/2208/2016 WITH CA/4627/2011 IN FA/2208/2016

THE STATE OF MAH THR. COLLECTOR, LATUR AND ANR
VERSUS
GANGADHAR SHIVLINAPPA PUNE

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6 FIRST APPEAL NO.692 OF 2012
WITH FA/693/2012 WITH FA/694/2012 WITH FA/695/2012 WITH
FA/696/2012 WITH FA/776/2012

THE STATE OF MAH THR. COLLECTOR LATUR AND ANR
VERSUS
MUSA SAMSHER PATHAN

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12 FIRST APPEAL NO.3508 OF 2011
WITH FA/3509/2011 WITH FA/3510/2011 WITH FA/3511/2011 WITH
FA/3512/2011 WITH FA/3513/2011

THE STATE OF MAH AND ORS
VERSUS
BABU DEORAO MUGALE

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13 CIVIL APPLICATION NO.7087 OF 2013
IN FAST/9854/2013 WITH CA/7088/2013 IN FAST/9854/2013 WITH
CA/7089/2013 IN FAST/9964/2013 WITH CA/7090/2013 IN FAST/9964/2013
WITH CA/7091/2013 IN FAST/9961/2013 WITH CA/7092/2013 IN
FAST/9961/2013 WITH CA/7093/2013 IN FAST/9937/2013 WITH
CA/7094/2013 IN FAST/9937/2013 WITH CA/7095/2013 IN FAST/9934/2013
WITH CA/7096/2013 IN FAST/9934/2013 WITH CA/7097/2013 IN
FAST/9931/2013 WITH CA/7098/2013 IN FAST/9931/2013 WITH
CA/7099/2013 IN FAST/9967/2013 WITH CA/7100/2013 IN FAST/9967/2013

THE STATE OF MAHARASHTRA AND ANOTHER
VERSUS
ASHOK NAMDEORAO JALKOTE

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15 CIVIL APPLICATION NO.10938 OF 2013
IN FAST/18969/2013 WITH CA/10939/2013 IN FAST/18969/2013

THE STATE OF MAHARASHTRA
VERSUS
MADHAV BAPU KALME AND ANOTHER

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AGP for Applicants : Mr. A.M. Phule
Advocate for respondents-claimants : Mr. H.B. Nandgavale with Mr. V.G.
Sakolkar

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O R D E R

1. Shri Janardhan Ramakrishna Vidhate, Sub Divisional Officer, Ausa-Renapur, authorized by the Collector, Latur is present in person. Mr. A.M. Phule, learned A.G.P. for the appellant-State, on instructions from the aforesaid officer, who is present before the panel submits 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 A.G.P. Mr. Phule, 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 A.G.P. for the appellant-State, on instructions, submits that the appellant State has deposited the entire amount 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. Learned counsel for the respondents-original claimants, on instructions from the respondents-claimants and in terms of the ratio laid down by the Full Bench of this Court in the case of ***State of Maharashtra vs. Kailash Shiva Rangari, reported in 2016(4) ALL MR 513 (F.B.)***, judgment of learned Single Judge of this court in the case of ***State of Maharashtra vs Ramesh Tukaram Meshram and another, reported in 2018 (1) ALL MR 645*** and unreported judgment of this court ***dated 5th March, 2018 in first appeal No. 483 of 2018 (State of Maharashtra and others vs. Pandharinath Govind Misal and others)*** and other connected appeals, waives the payment of interest awarded under Sections 28 and 34 of the Land Acquisition Act 1894, if applicable.

5. 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

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