

**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,
AT AURANGABAD**

(48.1 to 48.5)

**CIVIL APPLICATION NO.7488 OF 2011
IN
FIRST APPEAL ST.NO.13474 OF 2011**

Executive Engineer, Masalaga Project
Latur Division, Latur

VERSUS

State of Maharashtra & anr

WITH

**CIVIL APPLICATION NO.7489 OF 2011
IN
FIRST APPEAL ST.NO.13474 OF 2011
WITH
CIVIL APPLICATION NO.7490 OF 2011
IN
FIRST APPEAL ST.NO.13468 OF 2011
WITH
CIVIL APPLICATION NO.7491 OF 2011
IN
FIRST APPEAL ST.NO.13468 OF 2011
WITH
CIVIL APPLICATION NO.7493 OF 2011
IN
FIRST APPEAL ST.NO.13442 OF 2011**

Mr S.K. Rahane, Advocate for applicant;
Mr S.S. Dande, A.G.P. for respondent/State;
Mr B.K. Pawar, Advocate h/f Mr. A.B. Kale, Advocate for
respondents/claimants;

ORDER

Learned Advocate Mr. S.K. Rahane, Advocate for appellant/acquiring body is present. Mr. G.K. Joshi, Executive Engineer, Masalaga Project, Latur is present. Learned Advocate Mr. B.K. Pawar, learned Advocate holding for Mr. A.B. Kale, learned Advocate for respondent/claimant is present. Mr. S.S. Dande, learned A.G.P. for respondent No.1 is present.

2. All the parties agree that the compensation awarded in all the matters involved in these applications is within four times of compensation granted by the Special Land Acquisition Officer and therefore, it is covered by Government Resolution dated 03/11/2016 along with subsequent corrigendum dated 23/02/2017 and 13/08/2018 and therefore, acquiring body wants to withdraw the applications.

3. Further, all of them agree that in view of decision in the *State of Maharashtra vs Kailash Shiva Rangari [2016(4) ALL MR 513]* interest under Section 28 and/or under Section 34 of the Land Acquisition Act should be from the date of award and not from the date of possession/notification under Section 4 of the Land Acquisition Act and therefore, except the said part,

interest from award which requires modification. Accordingly, parties agree for the said award and in view of the said compromise, all civil applications stand withdrawn.

4. In view of the compromise, refund of Court fees as per rules.

5. Acquiring body agrees to deposit the amount as per modified award within a period of six months from today in this Court.

6. Pending civil applications, if any, are also disposed of accordingly.

(K. C. SANT)	(A.T.A.K. SHAIKH)	(SMT. VIBHA KANKANWADI, J.)
Advocate	District Judge	Head of the Panel
Member	(Retd.)	
	Member	

Date: 14.12.2019
Place: Aurangabad