

**IN THE NATIONAL LOK ADALAT PRESIDED OVER BY
HON'BLE SHRI JUSTICE ANIL S. KILOR,
HELD ON 14TH SEPTEMBER, 2019,
AT HIGH COURT LEGAL SERVICES SUB-COMMITTEE AT
AURANGABAD**

(Sr. 126 to 145 & 135-A, Total =21)

126 FIRST APPEAL NO.1075 OF 2009
THE EXECUTIVE ENGINEER, LOWER TERNA LATUR.
VERSUS

THE STATE OF MAHARASHTRA AND ANR
AND

127 FIRST APPEAL NO.1076 OF 2009
WITH CA/973/2013 IN FA/1076/2009
THE EXECUTIVE ENGINEER, LOWER TERNA LATUR
VERSUS

THE STATE OF MAHARASHTRA AND ANR
AND

128 FIRST APPEAL NO.1077 OF 2009
WITH CA/993/2013 IN FA/1077/2009
THE EXECUTIVE ENGINEER, LOWER TERNA LATUR.
VERSUS

THE STATE OF MAHARASHTRA AND ORS
AND

129 FIRST APPEAL NO.1078 OF 2009
WITH CA/972/2013 IN FA/1078/2009
THE EXECUTIVE ENGINEER, LOWER TERNA LATUR
VERSUS

THE STATE OF MAHARASHTRA AND ANR
AND

130 FIRST APPEAL NO.1079 OF 2009
THE EX ENGINEER LOWER TERNA PROJECT CANAL DIV LATUR
THE COURT OF LOK ADALAT
VERSUS

THE STATE OF MAH AND ANR 1
AND

131 FIRST APPEAL NO.1080 OF 2009
WITH CA/970/2013 IN FA/1080/2009

THE EX ENGINEER LOWER TERNA PROJECT LATUR
VERSUS
THE STATE OF MAH AND ANR

AND
132 FIRST APPEAL NO.1081 OF 2009
WITH CA/980/2013 IN FA/1081/2009
THE EX ENGINEER LOWER TERNA PROJECT LATUR
VERSUS
THE STATE OF MAH AND ORS

AND
133 FIRST APPEAL NO.1082 OF 2009
WITH CA/978/2013 IN FA/1082/2009
THE EX ENGINEER LOWER TERNA PROJECT LATUR
VERSUS
THE STATE OF MAH AND ORS

AND
134 FIRST APPEAL NO.1083 OF 2009
WITH CA/976/2013 IN FA/1083/2009
THE EX ENGINEER LOWER TERNA PROJECT LATUR
VERSUS
THE STATE OF MAH AND ANR

AND
135 FIRST APPEAL NO.1084 OF 2009
WITH CA/992/2013 IN FA/1084/2009
THE EXECUTIVE ENGINEER, LOWER TERNA LATUR
VERSUS
THE STATE OF MAHARASHTRA AND ANR

AND
135-A FIRST APPEAL NO.1085 OF 2009
THE EXECUTIVE ENGINEER, LOWER TERNA LATUR
VERSUS
THE STATE OF MAHARASHTRA AND ANR

AND
136 FIRST APPEAL NO.1086 OF 2009
WITH CA/975/2013 IN FA/1086/2009
THE EXECUTIVE ENGINEER, LOWER TERNA LATUR
VERSUS
THE STATE OF MAHARASHTRA AND ANR

AND
137 FIRST APPEAL NO.1087 OF 2009
WITH CA/969/2013 IN FA/1087/2009
THE EXECUTIVE ENGINEER, LOWER TERNA LATUR

VERSUS
THE STATE OF MAHARASHTRA AND ANR

AND
138 FIRST APPEAL NO.1088 OF 2009
WITH CA/977/2013 IN FA/1088/2009
THE EXECUTIVE ENGINEER, LOWER TERNA LATUR..
VERSUS
THE STATE OF MAHARASHTRA AND ANR

AND
139 FIRST APPEAL NO.1089 OF 2009
THE EX ENGINEER LOWER TERNA PROJECT LATUR
THE COURT OF
LOK ADALAT
VERSUS
THE STATE OF MAH AND ORS 1

AND
140 FIRST APPEAL NO.1093 OF 2009
WITH CA/981/2013 IN FA/1093/2009
THE EX ENGINEER LOWER TERNA PROJECT LATUR
VERSUS
THE STATE OF MAH AND ANR

AND
141 FIRST APPEAL NO.1094 OF 2009
WITH CA/982/2013 IN FA/1094/2009
THE EXECUTIVE ENGINEER, LOWER TERNA LATUR
VERSUS
THE STATE OF MAHARASHTRA AND ANR

AND
142 FIRST APPEAL NO.1096 OF 2009
WITH CA/968/2013 IN FA/1096/2009
THE EX ENGINEER LOWER TERNA PROJECT LATUR
VERSUS
THE STATE OF MAH AND ANR

AND
143 FIRST APPEAL NO.1097 OF 2009
THE EX ENGINEER LOWER TERNA PROJECT LATUR
VERSUS
THE STATE OF MAH AND ANR
AND

144 FIRST APPEAL NO.1098 OF 2009
THE EXECUTIVE ENGINEER, LOWER TERNA LATUR.
VERSUS
THE STATE OF MAHARASHTRA AND ANR
AND
145 FIRST APPEAL NO.1099 OF 2009
WITH CA/971/2013 IN FA/1099/2009
THE EX ENGINEER LOWER TERNA PROJECT LATUR
VERSUS
THE STATE OF MAH AND ANR 1

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Advocate for Appellant : Mr. S. P. Sonpawale
AGP for Respondent-State: Mr. A. M. Phule
Advocate for Respondents : Mr. V. B. Patil h/f Mr. M. S. Patil

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ORDER:

1. These are the appeals filed by acquiring body namely, Lower Terna Canal Division, Latur. The acquiring body is represented today by learned Advocate Mr. S. P. Sonpawale along with Mr. Vishnupant Jewalikar, Executive Engineer, Mr. A. M. Phule, learned AGP for the respondent-State, are present.

2. The learned advocate Mr. V. B. Patil, holding for Mr. M. S. Patil, learned advocate for the respondents, on instructions made a statement that his clients are ready to accept interest U/s. 34 of the Land Acquisition Act, 1894 from the date of award passed by the Special Land Acquisition Officer instead of from the date of issuance of notification under Section 4. The statement is accepted.

3. The Acquiring Body after verification and necessary calculations has made statement that the decretal amount granted by reference Court is well within the parameters fixed under the Government Resolution dated 3rd November, 2016 and Corrigendum issued in respect of the said Government Resolution, and therefore, the acquiring body is ready to accept the award passed by the Reference Court in the References filed by the respondent/claimants under Section 18 of the Act, 1894.

4. The Acquiring Body made a statement that 50% amount has been deposited before this Court and undertake to make payment of remaining 50% amount within a period of six months from the date of this order and the claimants are at liberty to withdraw the same.

5. With this modification, after recalculation of the amount of interest, the amount which is deposited with this Court shall be permitted to be withdrawn after necessary adjustments on recalculation of interest amount as stated above.

6. Accordingly, the appeals are disposed of. No order as to costs.

7. The court fee if any paid in the respective appeals, shall be refunded back according to rules. If there is any civil application/applications pending, the same stands disposed of.

Sd./-

(K. C. Sant)
Advocate
Member

Sd./-

(A.T.A.K. Shaikh)
D.J.(Retd.)
Member

Sd./-

(Anil S. Kilor, J.)
Head of the Panel

Date: 14.09.2019
Place: Aurangabad
mta/