

**IN THE NATIONAL LOK ADALAT PRESIDED OVER BY
HON'BLE SMT. JUSTICE VIBHA KANKANWADI,
HELD ON 17TH MARCH 2019,
AT HIGH COURT LEGAL SERVICES SUB-COMMITTEE
AT AURANGABAD.**

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44 CIVIL APPLICATION NO.15974 OF 2010
IN FAST/28248/2010 WITH CA/15975/2010 IN
FAST/28248/2010 WITH CA/15976/2010 IN FAST/28248/2010

GMIDC LTD THROUGH EXECUTIVE DIRECTOR AND ANOTHER
VERSUS
SANJIV DHONDIBA LALME AND OTHERS

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45 CIVIL APPLICATION NO.15979 OF 2010
IN FAST/28220/2010 WITH CA/15977/2010 IN
FAST/28220/2010 WITH CA/15978/2010 IN FAST/28220/2010
GODAVARI MARATHWADA IRRIGATION DEVELOPMENT CORPORATION
LTD THROUGH ITS EXECUTIVE DIRECTOR
VERSUS
NAMDEO GANGARAM YEMALE L.RS. BALAJI NAMDEO YEMALE AND
OTHERS

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46 CIVIL APPLICATION NO.15981 OF 2010
IN FAST/28233/2010 WITH CA/15980/2010 IN
FAST/28233/2010 WITH CA/15982/2010 IN FAST/28233/2010
GODAVARI MARATHWADA IRRIGATION DEVELOPMENT CORPORATION
LTD THROUGH ITS EXECUTIVE DIRECTOR
VERSUS
BHASKAR GANGARAM YEMALE AND OTHERS

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47 CIVIL APPLICATION NO.15985 OF 2010
IN FAST/28227/2010 WITH CA/15983/2010 IN

FAST/28227/2010 WITH CA/15984/2010 IN FAST/28227/2010

GODAVARI MARATHWADA IRRIGATION DEVELOPMENT CORPORATION
LTD THROUGH ITS EXECUTIVE DIRECTOR

VERSUS

GULAB SUDAMRAO SHIPPARKAR AND OTHERS

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ORDER

01. Learned Advocate Mr. S.S. Tope is present for the acquiring body - appellants. Mr. Pramod Rangnathrao Baradkar, Executive Engineer, Upper Penganga Project Division No.8, Nanded, is also present. Learned Advocate Mr. D.Y. Nandedkar is present for respondent no.01. Learned Assistant Government Pleader Mr. A.M. Phule is present for respondents no.02 and 03.

02. The dispute was only in respect of the interest and the parties have arrived at compromise that there shall be interest in terms of decision in *State of Maharashtra Vs. Kailash Shiva Rangari* [2016(4) ALL MR 513 (F.B.)] and *The State of Maharashtra & others Vs. Ramesh s/o. Tukaram Meshram & others* [2018(1) ALL MR 645]. Taking into consideration these authorities, the interest should be calculated and in view of the same, the First Appeals are allowed to be disposed of as compromised. Pending Civil Applications are also disposed of. After calculating the interest as per the aforesaid decisions, if any amount is in excess, that be refunded to the acquiring body. As regards the other

amount to which the respondents are entitled, the respondents are entitled to withdraw the said amount as per the proportion given in the award.

03. The appellants are entitled to get refund of court-fees as per rules.

(K.B. Chaudhary)
Advocate
Member

(V.B. Mantri)
District Judge
(Retd.)
Member

(Smt. Vibha Kankanwadi,J.)
Head of the Panel

Date : 17.03.2019
Place : Aurangabad.