

**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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**41 CIVIL APPLICATION NO.15344 OF 2010
IN FAST/28435/2010 WITH CA/15345/2010 IN
FAST/28435/2010 WITH CA/15346/2010 IN FAST/28434/2010
WITH CA/15347/2010 IN FAST/28434/2010 WITH
CA/15348/2010 IN FAST/28450/2010 WITH CA/15349/2010 IN
FAST/28450/2010 WITH CA/15350/2010 IN FAST/28439/2010
WITH CA/15351/2010 IN FAST/28439/2010**

**THE EXECUTRIVE ENGINEER UPPER PENGANGA PROJECT
DIVISION NO 8 NANDED
VERSUS
LAXMAN HARI MEDE AND OTHERS**

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ORDER

01. Learned Advocate Mr. U.K. Patil is present for the acquiring body - appellant. 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 respondents - claimants. Learned Assistant Government Pleader Mr. A.M. Phule is present for the respondent - State.

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 appellant is 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.

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