

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**934 FIRST APPEAL NO.438 OF 2015
WITH CA/12212/2014 IN FA/438/2015**

EXECUTIVE ENGINEER, LOWER DUDHNA PROJECT, SELU
VERSUS
RAMA SHIVAJI TANPURE (DIED) LR. SITABAI RAMRAO TANPURE
AND OTHERS

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**980 FIRST APPEAL NO.454 OF 2015
WITH CA/12215/2014 IN FA/454/2015 WITH CA/261/2019
IN FA/454/2015**

EXECUTIVE ENGINEER, NIMNA DUDHNA PROJECT, SELU
VERSUS
NANABHAU HARIBHAU KAKADE AND OTHERS

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**981 FIRST APPEAL NO.456 OF 2015
WITH CA/12204/2014 IN FA/456/2015**

EXECUTIVE ENGINEER, LOWER DUDHNA PROJECT, SELU
VERSUS
ASHOK@ASARAM SUDAMRAO TANPURE AND OTHERS

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Advocate for Appellants : Shri Shirish G. Sangle
AGP for Respondents – State : Shri A.M.Phule
Advocate for Respondents - Claimants : Smt.Asha D.Rakh,
Shri N.R.Avhad, Shri P.B.Rakhunde

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CORAM : P.R.BORA, J.

DATE: 4th January, 2019

PER COURT:-

1 When the present matters are taken up for hearing, it
is noticed that the compensation as enhanced by the

Reference Court is less than four times of the market value determined by the Special Land Acquisition Officer (SLAO). In the circumstances, in view of the policy adopted by the State Government vide Government Resolution dated 03.11.2016 read with Corrigendum dated 23.02.2017 and 13.08.2018, the appeals are not liable to be prosecuted further.

2 The learned Counsel appearing for the claimants submitted that the amount as has been deposited by the Acquiring Body in this Court is strictly as per the award and if the claimants are permitted to withdraw the entire said amount, they will not press for any costs of the present appeal.

3 On the aforesaid term, the parties have requested to settle these matters

4 In view of the submission so made, the following order is passed:-

ORDER

I) The appeals stand settled in view of the policy adopted by the State Government vide Government Resolution dated 03.11.2016 read with Corrigendum dated 23.02.2017 and 13.08.2018, and in view of the statement made by the learned Counsel for the original claimants that they are satisfied with the amount of compensation as has been deposited by the Acquiring Body in this Court and shall not press for the costs of the present appeals.

II) The original claimants have already withdrawn certain portion of the amount on furnishing the undertaking. The original claimants are permitted to withdraw the balance amount, which is lying with this Court.

III) The undertaking/solvent surety/security furnished by the original claimants while withdrawing the amount on earlier occasion, shall stand discharged.

IV) The appeals stands disposed of in the aforesaid terms. Pending civil applications stand disposed of.

(P.R.BORA)
JUDGE