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IN THE NATIONAL LOK ADALAT PRESIDED OVER BY
HON'BLE SHRI JUSTICE S.M. GAVHANE,
HELD ON 14.12.2019,
AT HIGH COURT LEGAL SERVICES SUB-COMMITTEE
AT AURANGABAD

1007 FIRST APPEAL NO.3098 OF 2016
WITH X-OBJST/24994/2016 IN FA/3098/2016
THE EXECUTIVE ENGINEER DHULE MEDIUM PROJECT DHULE
VERSUS
HARI DASHRATH MAHALE AND OTHERS

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1009 FIRST APPEAL NO.3609 OF 2019
BHAGWANSING LALSING GIRASE (DIED) THR LRS KOMALSING AND
ORS
VERSUS
THE STATE OF MAHARASHTRA AND ORS

...

1010 FIRST APPEAL NO.3727 OF 2019
MADHAV DULA AAKHADE
VERSUS
THE STATE OF MAHARASHTRA AND ORS

...

1022 FIRST APPEAL NO.3782 OF 2019
JIBHAU ANANDSING GIRASE
VERSUS
THE STATE OF MAHARASHTRA AND ORS

...

1025 X-OBJECTION (STAMP) NO.38806 OF 2019
IN FA/2510/2018
HIRAMAN CHAITRAM MAHALE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ORS

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1026 FIRST APPEAL NO.3827 OF 2019
MANGALSINGH ADHARSINGH GIRASE AND ORS
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER, MEDIUM IRRIGATION
PROJECT, DHULE ORS
...

1027 X-OBJECTION (STAMP) NO.38837 OF 2019
IN FA/995/2010
SAYARABAI MOHANSINGH GIRASECOURT OF LOK ADALAT AND ORS
VERSUS
THE STATE OF MAHARASHTRA 14/12AND ORS
...

1028 X-OBJECTION (STAMP) NO.38840 OF 2019
IN FA/988/2010
SARDAR PAULAD BHIL
VERSUS
THE STATE OF MAHARASHTRA AND ANR
...

1029 X-OBJECTION (STAMP) NO.38848 OF 2019
IN FA/1702/2010
RAJDHAR PAULAD PATIL (DIED) THR LRS SITABAI AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND ANR
...

1030 X-OBJECTION (STAMP) NO.38852 OF 2019
IN FA/1673/2010
JOTESINGH SARDARSINGH RAJPUT(DIED) LRS BHATESINGH
JOTESINGH GIRASE AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND ANR
...

1031 X-OBJECTION (STAMP) NO.38863 OF 2019
IN FA/1273/2013
JAGATSINGH SARDARSINGH RAJPUT DIED THR LRS
BHATESINGHJOTESINGH GIRASE AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND ORS
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1032 X-OBJECTION (STAMP) NO.38865 OF 2019
IN FA/1680/2010
MANGLABAI MANSINGH RAJPUT
VERSUS
THE STATE OF MAHARASHTRA AND ANR
...

1033 X-OBJECTION (STAMP) NO.38867 OF 2019
IN FA/1681/2010
RAJENDRA PAULAD PATIL COURT OF LOK ADALAT
VERSUS
THE STATE OF MAHARASHTRA AND ANR 14/12
...

1034 X-OBJECTION (STAMP) NO.38869 OF 2019
IN FA/990/2010
ZAMBARASINH VITHHALSINH GIRASE AND ORS
VERSUS
THE EXE ENGINEER MEDIUM PROJECT DIVISION NO.1 DHULE AND
ANR
...

1035 X-OBJECTION (STAMP) NO.38894 OF 2019
IN FA/1706/2010
GULABSINGH PRATAPSINGH RAJPUT
VERSUS
THE STATE OF MAHARASHTRA AND ANR
...

1036 X-OBJECTION (STAMP) NO.38899 OF 2019
IN FA/2088/2017
GOTESING HAMBERSING GIRASE
VERSUS
THE STATE OF MAHARASHTRA AND ORS
...

13.5 FIRST APPEAL NO.3829 OF 2019
KAMLA AMBARISH GIRASE
VERSUS
THE STATE OF MAHARASHTRA AND ORS.
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**13.6 FIRST APPEAL NO. 3830 OF 2019
BANSI BABU SUTAR AND ORS.
VERSUS
THE STATE OF MAHARASHTRA AND ORS.**

Mr. Ajay D. Pawar and Mr.B.K. Pawar h/f. Mr. A.B. Kale,
Advocate for the appellants/claimants.
Mr.S.S. Dande, AGP for respondent/State.
Mrs.Chaitali Choudhari – Kutti, Advocate for respondent
No.2/Acquiring Body.

O R D E R
[14th December, 2019]

. All these appeals are arising out of acquisitions made for Wadi Shewadi Medium Project, Tq. Shindkheda, Dist. Dhule. The lands involved in these matters today before the panel are all from village Wadi.

2. Some of the appeals as detailed are filed by the acquiring body and some of the appeals are filed by the claimants challenging the judgment and award passed by the Reference Court, in the respective references. So also, some of the claimants have filed cross-objections seeking enhancement in the amount of compensation. However, the cross-objections are still on stamp numbers.

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3. Mr. R.M. Rasne, Assistant Engineer, Dhule Medium Project, Dhule Division, Dhule is present before the panel. He has tendered letter dated 13th December, 2019 under the signature of Dy. Executive Engineer, Dhule Medium Project, Dhule Division, Dhule, authorizing him to appear before the Panel of Lokadalat and to enter into a settlement in the present matters. He has also produced on record letter dated 5th July, 2018 regarding rates of compensation to be given for non-irrigated land i.e. Rs.2,00,000/- and for irrigated land i.e. Rs. 4,00,000/-. Both the letters are collectively marked as "X".

4. The acquiring body is represented by learned counsel Mr. A.D. Pawar, Mrs.Vaishali Patil-Jadhav and Mrs.Chaitali Choudhari-Kutti, who are present before the panel. Learned counsel Mr. B.K. Pawar h/f. Mr.A.B. Kale is present for the appellants/claimants. All the learned counsels representing the parties and the Executive Engineer have signed the compromise chart which is marked "Y". They have stated that the parties

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have agreed to settle the matters, as mentioned in the compromise chart. Mr. B.K. Pawar h/f. Mr.A.B. Kale, learned counsel for the appellants/claimants submitted that he will file authorization from the respective claimants within two weeks.

5. Mr.B.K. Pawar h/f. Mr. A.B. Kale, learned counsel for the appellants/claimants submitted that in view of enhancement offered by the acquiring body, the claimants do not press the cross-objections filed by them and they can be disposed of in the present settlement itself. Necessary information in this respect is provided in the compromise chart "Y".

6. Learned counsel appearing for the parties submitted that it is agreed between the parties that the interest on the enhanced amount of compensation shall not be payable for delayed period, mentioned in the chart "Y".

7. In view of above, following order is passed :-

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ORDER

i. The claimants, who have filed appeals and respective cross-objection mentioned in the compromise chart "Y" are held entitled for compensation at the rate of Rs.2,00,000/- lakhs per hectare for non-irrigated land and at the rate of Rs.4,00,000/- per hectare for irrigated land, as mentioned in said compromise chart.

ii. The enhanced amount of compensation be accordingly calculated excluding the amount of compensation already determined by the Reference Court. The claimants are also entitled for the statutory benefits on the enhanced amount of compensation, as have been awarded by the Reference Court.

iii. The acquiring body shall pay enhanced amount of compensation within one year from the receipt of decree/award.

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iv. The claimants shall not be entitled for interest on the enhanced amount of compensation for the period of one year from passing of this award.

v. If the amount of compensation is not paid within the period stipulated as above, the claimants shall be entitled to receive interest from the said date onwards in accordance with provisions of law.

vi. Learned counsel for the claimants shall file authorization as undertaken by him from the respective claimants within two weeks.

vii. Award be drawn accordingly.

viii. The acquiring body as well as the claimants shall be entitled for refund of court fees in accordance with law.

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ix. The first appeals as well as cross-objections are thus disposed of in terms of the statement as above. Pending civil applications, if any, stand disposed of.

[Smt.S.G.Chincholkar]	[V.B.Mantri]	[S.M.Gavhane,J.]
Advocate	D.J. [Retd.]	Head of Panel
Member	Member	