

**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**

**54 FIRST APPEAL NO.1536 OF 2016
WITH
55 FIRST APPEAL NO.1540 OF 2016
WITH
56 FIRST APPEAL NO.1541 OF 2016
WITH FA/1538/2016 WITH FA/1539/2016**

**THE EXECUTIVE ENGINEER, LOWER DUDHANA PROJECT SELU,
PARBHANI THR EXE ENGINEER, JA
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Mr. S.G. Bhalerao, Advocate for the appellant/acquiring body

Mr. G.O. Wattamwar, AGP for the respondent No.1/State

Mr. Arun H. Koralkar, Advocate for the respondent No.3

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ORDER

1 Advocate Mr. S.G. Bhalerao is appearing for appellant/acquiring body. Mr. P.B. Jadhav, Executive Engineer, Jalna Irrigation Division, Jalna is also present. Advocate Mr. A.H. Koralkar is present for respondent No.3/original claimant. Pursis has been filed by them. It is marked as Exh.'X'. In view of the said compromise the appeals are disposed of as withdrawn.

- 2 Award/Decree be drawn up in terms of the compromise.
- 3 In view of the compromise refund of Court fees would be as per rules.
- 4 Deficit Court fee, if any, be paid forthwith.
- 5 Pending Civil Applications, if any, be disposed of.
- 6 Statement is also made that 75% amount is already withdrawn by the claimants. In view of the fact that interest is to be calculated as per the decision of the Full Bench in **State of Maharashtra vs. Kailash Shiva Rangari** reported in **2016(4) ALL M.R. 513 (D.B.)**. Remaining amount, if any, towards claimants, be given to the claimants and if there is excess amount, then it should be refunded to the acquiring body along with interest accrued.

(K.B. Choudhari)
Advocate
Member

(V.B. Mantri)
D.J. (Retd.)
Member

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

Date : 17.03.2019.

Place : Aurangabad.

agd