

**IN THE NATIONAL LOK ADALAT PRESIDED OVER BY
HON'BLE SHRI JUSTICE ANIL S. KILOR,
HELD ON 14TH SEPTEMBER, 2019,
AT HIGH COURT LEGAL SERVICES SUB-COMMITTEE AT
AURANGABAD**

121 FIRST APPEAL NO.2239 OF 2019
WITH
FIRST APPEAL NO. 2240 OF 2019

THE EX. ENGINEER, LATUR MINOR IRRIGATION LATUR
VERSUS
DATTATRAY HARISHCHANDRA PANCHAL (DIED) THR LRS ARUNA
AND ORS

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Advocate for Appellants : Mrs. Chaitali Kutti
AGP for State : Mr. A. M. Phule & Mr. S. P. Sonpawale
Advocate for Respondents : Mr. H. B. Nandagavale h/f
Mr. Vijay Sakolkar

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ORDER:

1. These are the first appeals filed by acquiring body namely, Latur Minor Irrigation, Latur. The appellant Acquiring Body is represented today by learned Advocate Mrs. Chaitali Kutti along with Shri G. K. Joshi, Executive Engineer, Latur Minor Irrigation Division, Latur, Mr. A. M. Phule and Mr. S. P. Sonpawale, learned AGP for the State and learned advocate Mr. H. B. Nandagavale holding for Mr. Vijay Sakolkar for respondents / original claimants.

2. The learned advocate Mr. H. B. Nandagavale holding for Mr. Vijay Sakolkar, learned counsel for the respondents / original claimants made a statement that his client is ready to accept the interest under Section 28 of the Land Acquisition Act, 1894 on the decreetal amount from the date of award passed by the Special Land Acquisition Officer and not from the date of Section 4 of Notification. The statement is accepted subject to submission of undertaking to that effect by the respondents / original claimants through counsel Mr. H. B. Nandagavale holding for Mr. Viajy Sakolkar.

3. The acquiring body after verification and necessary calculations has made statement that the decreetal amount granted by reference Court is well within the parameters fixed under the Government Resolution dated 3rd November, 2016 and Corrigendum issued in respect of the said Government Resolution, and therefore, the acquiring body is ready to accept the award passed by the Reference Court in the References filed by the respondent/claimants under Section 18 of the Act, 1894. Accordingly, the appeal is disposed of by accepting statement of the Acquiring Body.

4. The officer present on behalf of the Acquiring Body undertakes to make the payment as per compromise within a period of six months from the date of order. The claimants are at liberty to withdraw the same. The undertaking is accepted. The first appeals are disposed of. No order as to costs.

5. The court fee if any paid in the first appeal, shall be refunded back according to rules. If there is any civil application/applications pending, the same stands disposed of.

Sd./-

(K. C. Sant)

Advocate
Member

Sd./-

(A.T.A.K. Shaikh)

D.J.(Retd.)
Member

Sd./-

(Anil S. Kilor, J.)

Head of the Panel

Date: 14.09.2019
Place: Aurangabad