

**DB-8 FIRST APPEAL NO.1702 OF 2013
WITH
FIRST APPEAL NO.1703 OF 2013
WITH
FIRST APPEAL NO.1705 OF 2013
WITH
FIRST APPEAL NO. 1706 OF 2013**

VERSUS

.....
Counsel for appellants : Mr. D. M. Kakade
AGP for respondents-State : Mr. A.M. Phule
Counsel for respondent No.3 : Mr. A. M. Gaikwad
.....
..

ORDER

1. The proceeding is placed before us in today's National Lok-Adalat. This appeal has been preferred by the appellants feeling aggrieved by the judgment and award passed by the Reference Court at Jalna for enhancement of compensation amount. The parties have settled the dispute and placed on record terms of compromise. Executive Engineer of Jalna Irrigation Division, Jalna and learned advocate Mr. A. M. Gaikwad, for acquiring body are present. The appellants as well as their learned advocate Mr. D. M. Kakade are present. The terms of compromise are taken on record and marked as Art. 'X' for identification.

2. In view of the terms of the compromise, the appeals stand disposed of.

3. The acquiring body has agreed to pay compensation to the appellants at the rate of Rs.2,400/-, Rs.3,600/- and Rs.4,800/- per R for non-irrigated, semi-irrigated and irrigated land respectively and Rs.1,200/- per R for pot-kharab land. Accordingly, the appellants have agreed to reduce the rate which is already received in reference court.

4. The acquiring body shall deposit an amount of compensation as agreed with interest within a period of one year in this Court from the date of receipt of this order along with chart showing details of payment payable by them as per compromise. The calculation of interest amount under section 28 of the Land Acquisition Act, 1984 should be in accordance with the law laid down by the High Court, Bench at Nagpur in the judgment reported in **2018 (1) ALL MR Page No. 645, the State of Maharashtra Vs. Ramesh Tukaram Meshram and Another.**

5. The claimants are not entitled for statutory benefits/ interest for the delayed period caused in filing the present first appeal.

6. Even though period of one year is given to the acquiring body, if the budget is received earlier, the acquiring body is directed to expedite the payment of compensation as agreed to the claimants by way of full and final settlement.

7. The amount, which would be deposited as per clause (4) of this order and the amount, if any, deposited in this court, Registry, shall transfer to Reference Court for disbursement to original claimants in terms of award.

8. The appellant is entitled to get refund of court fee.
9. The registry shall issue court fee refund certificate as per rules.
10. The appeal stand disposed of.
11. Civil application/s, if any, stand/s disposed of.

(S. P. Brahme)
Advocate
Member

(S. G. Shete)
District Judge(Retd.)
Member

(Shrikant D. Kulkarni J.)
JUDGE
Head of the Panel

Date: 12.12.2020

mta