

**IN THE NATIONAL LOK ADALAT PRESIDED OVER BY
HON'BLE SHRI JUSTICE SHRIKANT D. KULKARNI,
HELD ON 8TH FEBRUARY, 2020,
AT HIGH COURT LEGAL SERVICES SUB-COMMITTEE AT
AURANGABAD**

PB Sr. Nos. 18, 20, 21, 22, 23, 24, 26, 27, 28

18 FIRST APPEAL NO.3731 OF 2019

INDERSING SAKALSING (DIED) THR LRS KHATABAI
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER, MEDIUM
IRRIGATION, DHULE AND ORS

AND

20 FIRST APPEAL NO.3733 OF 2019

UDAYSING NAWAL GIRASE OURT OF LOK ADALAT
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER, MEDIUM
IRRIGATION, DHULE AND ORS 08/02/

AND

21 FIRST APPEAL NO.3734 OF 2019

CHANDRAKANT KOMALSING GIRASE
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER, MEDIUM
IRRIGATION, DHULE AND ORS

AND

22 FIRST APPEAL NO.3735 OF 2019

AJABSING GULABSING GIRASE
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER, MEDIUM
IRRIGATION, DHULE AND ORS

AND
23 FIRST APPEAL NO.3736 OF 2019

VATSALABAI KOMAL GIRASE
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER, MEDIUM
IRRIGATION, DHULE AND ORS

AND
24 FIRST APPEAL NO.3737 OF 2019

MOHAN PRATAP GIRASE (BAGUL)
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER, MEDIUM
IRRIGATION, DHULE AND ORS

AND
26 FIRST APPEAL NO.3739 OF 2019

SUDAM JIBHAU GIRASE (DIED) LRS JAYPAL
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER, MEDIUM
IRRIGATION, DHULE AND ORS

AND
27 FIRST APPEAL NO.3740 OF 2019

HIMMAT AMBAR GIRASE
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER, MEDIUM
IRRIGATION, DHULE AND ORS

AND
28 FIRST APPEAL NO.3741 OF 2019

KOMALSING SARDARSING GIRASE
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER, MEDIUM
IRRIGATION, DHULE AND ORS

O R D E R

1. Mr A.B. Kale, Counsel for the Appellants/claimants, Mr

Devendra Dinanath Joshi, Executive Engineer, Dhule Medium Project, Dhule Division, Dhule, Mr Pramod Bhamre, Special Land Acquisition Officer, Dhule, Mr A.M. Phule, AGP for State and Mr A.D. Pawar, Advocate for for Acquiring Body are present.

2. Mr A.B. Kale, learned Counsel for the claimants/appellants has produced a chart stating therein the compromise arrived between the parties. However, Mr Pawar, learned Counsel for the Acquiring Body produced a copy of letter issued by Executive Engineer, Tapi Patbandhare Vikas Mahamandal, Jalgaon dated 07.02.2020, wherein sanction for compromise is accorded only to following 9 matters.

- (1) FIRST APPEAL NO. 3731 OF 2019
- (2) FIRST APPEAL NO. 3733 OF 2019
- (3) FIRST APPEAL NO. 3734 OF 2019
- (4) FIRST APPEAL NO. 3735 OF 2019
- (5) FIRST APPEAL NO. 3736 OF 2019
- (6) FIRST APPEAL NO. 3737 OF 2019
- (7) FIRST APPEAL NO. 3739 OF 2019
- (8) FIRST APPEAL NO. 3740 OF 2019
- (9) FIRST APPEAL NO. 3741 OF 2019

As such, the above said compromise chart/statement is taken on record to the extent of above said 9 appeals/matters.

3. It is agreed between the parties that the respondent/Acquiring Body shall pay the compensation amount to the appellants as per 85 % of valuation report submitted by the claimants before the Reference Court.

4. In view of chart/statement of compromise arrived between the parties as stated above to the extent of above said 9 matters, the compromise chart is taken on record and marked as 'X' for identification. The copy of letter submitted by Mr A.D. Pawar, the learned Counsel for the Acquiring Body is also taken on record and marked as "Y" for identification.

5. In view of the terms of settlement arrived between the parties as per chart marked as 'X', the appeals stand disposed of.

6. The Acquiring Body shall deposit the amount of compensation which is settled between the parties within a period of one year from the date of order in the Reference Court. The claimants are at liberty to withdraw the same.

7. It is further agreed between the parties that claimants/appellants would be entitled to claim interest U/s. 28 of

the Land Acquisition Act from the date of Award in view of Judgment reported in **2018 (Vol. 1)) ALL MR 645 , The State of Maharashtra Vs Ramesh Tukaram Meshram and Anr.** and to that extent, award stands modified.

8. In case the payment is not made by the Acquiring Body to the claimants within a period of one year, in that case, the original claimants shall be entitled to claim statutory interest.

9. Civil Application/s if any, pending, also stands disposed of.

10. The Court fee refund certificate be issued as per the rules in favour of the appellants.

(K. C. Sant)
Advocate
Member

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

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

Date: 08.02.2020

mta