

IN THE NATIONAL LOK ADALAT PRESIDED OVER BY
HON'BLE SHRI JUSTICE SHRIKANT D. KULKARNI
HELD ON 8TH FEBRUARY, 2020.

AT THE HIGH COURT LEGAL SERVICES SUB-COMMITTEE, AURANGABAD

50 CIVIL APPLICATION NO.11086 OF 2018
IN FIRST APPEAL (ST) NO.19377/2018

WITH CIVIL APPLICATION NO.11087/2018
IN FIRST APPEAL (ST) NO.19377/2018

THE EX. ENGINEER, OSMANABAD MEDIUM PROJECT,
OSMANABAD AND ANR
VERSUS
VASUDEO GENA GAVADE (DIED) THR LRS BHAGWAT
AND ANR

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Mr A. R. Kale, Advocate for Applicants/Claimants
Mr A M Phule, AGP for Respondents State
Mr. S. B. Katke, Executive Engineer for acquiring Body.

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Mr. S. B. Katke, Executive Engineer for acquiring Body.

O R D E R

1. The respondent No.1/claimant namely Gawade Bhagwat Vasudeo is present before the Panel of National Lok Adalat. He also represents his brother i.e. respondent No.2/claimant. He has produced self

attested copy of his Adhar Card and the same is taken on record.

2. Learned Advocates Mr.A.R. Kale, present for the applicants/claimants, Mr A. M. Phule, learned AGP for the respondent/ State and Mr. S. B. Katke, Executive Engineer for acquiring body is also present.

3. All the parties agree that compensation awarded in the matter which is covered by the Government Resolution dated 03.11.2016 read with subsequent corrigendum dated 23.02.2017 and 13.08.2018. Therefore, in view of the same, the appellant is intending to withdraw the appeal.

4. It is agreed between the parties that the appellant/acquiring body shall deposit the amount of compensation with interest accrued thereon as per modified award within six months from the date of this Award. After deposit of the said amount, the respondent/ claimants are entitled to withdraw the said amount as per the proportion granted in the impugned award along-with accrued interest. The interest under section 34 and 28 of the Land Acquisition Act would be governed by the decisions in State of Maharashtra Vs. Kailash Shiva Rangari, reported in [2016 (4) ALL MR 513 (F.B.)] and the State of Maharashtra & others Vs. Ramesh Tukaram Meshram & ors [2018 (1) ALL MR 645].

5. In view of the above, leave to withdraw the appeal is granted. The appeals are disposed of as withdrawn. Civil applications, if any, also stand disposed of.

6. The appellants are entitled for refund of Court Fee as per Rule.

(K. C. SANT)
Advocates
Member

(V. B. MANTRI)
District Judge
(Retd.)
Member

(SHRIKANT D. KULKARNI)
Head of the Panel

Date: 08.02.2020

Place: Aurangabad

JPC