

IN THE NATIONAL LOK ADALAT PRESIDED OVER BY
HON'BLE SHRI JUSTICE SHRIKANT D. KULKARNI, J.
HELD ON 25Th SEPTEMBER, 2021

AT HIGH COURT LEGAL SERVICES SUB-COMMITTEE
AT AURANGABAD

FIRST APPEAL NO. 2054 OF 2019

GMIDC, AURNAGABAD THROUGH EXECUTIVE ENGINEER, LOWER
TERNA PROJECT, LATUR
VERSUS
DEEPAK SHIVKANTHAPPA TUNGAVE AND ANOTHER

ORDER

1. Not on board, taken on board with the consent of both the sides.
2. Mr. S.C. Arora, learned counsel holding for appellant/acquiring body, Mr. M.R. Malpani, learned counsel holding for Mr. B.K. Pawar, learned counsel for respondents/claimants are present.
3. This Appeal is placed before today's National Lok Adalat in view of settlement between the parties.
4. Learned counsel appearing for the respective sides and concerned parties submitted that they have settled their dispute amicably and they have placed on record terms of compromise. They further submitted that the matters have been fully and finally settled between the parties. The compromise *pursis* / terms of compromise are taken on record and marked as 'X' for identification.

5. It is submitted that in view of terms of compromise, this appeal may be disposed of with modification in the award passed by the Reference Court under Section 18 of the Land Acquisition Act, 1894 to the extent of interest in view of Full Bench decision of this Court in case of ***State of Maharashtra Vs Kailash Shiva Rangari*** reported in ***2016 (4) ALL MR 513***.

6. In view of terms of settlement arrived between the parties, this appeal is disposed of with modification in the award passed by the Reference Court under Sections 18 of the Land Acquisition Act, 1894 to the extent of interest under Sections 28 and 34 of the land Acquisition Act, 1894 in view of Full Bench decision of this Court in case of ***State of Maharashtra Vs Kailash Shiva Rangari*** (supra). The award passed by the Reference Court is modified to the extent of interest under Sections 28 and 34 of the Land Acquisition Act, 1894.

7. The acquiring body has already deposited the amount of compensation.

8. The appellants/claimants are entitled to withdraw the amount deposited by the acquiring body with interest accrued thereon.

9. The Court fee refund certificate be issued as per the rules in favour of the appellants/claimants. Registry to take necessary steps to that effect.

10. The award/decreed be drawn up in terms of compromise.
11. The Civil Application/s pending if any, also stand/s disposed of.
12. No order as to the costs.

(K. C. Sant)
Advocate
Member

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

(SHRIKANT D. KULKARNI, J.)
Head of the Panel

Date : 25.09.2021.
Place : Aurangabad.

S P Rane