

**IN THE NATIONAL LOK ADALAT PRESIDED OVER BY  
HON'BLE SHRI JUSTICE R. N. LADDHA,  
HELD ON 01<sup>st</sup> AUGUST, 2021,  
AT HIGH COURT LEGAL SERVICES SUB-COMMITTEE  
AT AURANGABAD**

**80 FIRST APPEAL NO.1426 OF 2003  
WITH FA/1427/2003 WITH FA/1428/2003 WITH FA/1429/2003  
WITH FA/1430/2003**

**STATE OF MAHARASHTRA  
VERSUS  
JANKIRAM SITARAM CHAUDHARY and ANOTHER**

...

Advocate for Respondents : Mr. R. C. Patil  
AGP for Appellant – State : Mr. A. M. Phule / Mr. S. S. Dande  
Mr. Rajendra Wagh, Special Land Acquisition Officer No.1, Jalgaon  
and Mr. K. A. Sawant Patil, Special Land Acquisition Officer, Jalgaon  
for Acquiring Body / State.

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**81 FIRST APPEAL NO.707 OF 2004**

**STATE OF MAHARASHTRA  
VERSUS  
PANDURANG ONKAR PATIL**

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Advocate for Respondent : Mr. R. M. Deshmukh  
AGP for Appellant – State : Mr. A. M. Phule / Mr. S. S. Dande  
Mr. Rajendra Wagh, Special Land Acquisition Officer No.1, Jalgaon  
and Mr. K. A. Sawant Patil, Special Land Acquisition Officer, Jalgaon  
for Acquiring Body / State.

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**82 FIRST APPEAL NO.708 OF 2004**

**STATE OF MAHARASHTRA  
VERSUS  
MANSING DHANSING PATIL**

...

Advocate for Respondent : Mr. R. M. Deshmukh

AGP for Appellant – State : Mr. A. M. Phule / Mr. S. S. Dande  
Mr. Rajendra Wagh, Special Land Acquisition Officer No.1, Jalgaon  
and Mr. K. A. Sawant Patil, Special Land Acquisition Officer, Jalgaon  
for Acquiring Body / State.

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**83 FIRST APPEAL NO.709 OF 2004**

STATE OF MAHARASHTRA  
VERSUS  
GULABRAO ONKAR PATIL

...

Advocate for Respondent : Mr. R. M. Deshmukh  
AGP for Appellant – State : Mr. A. M. Phule / Mr. S. S. Dande  
Mr. Rajendra Wagh, Special Land Acquisition Officer No.1, Jalgaon  
and Mr. K. A. Sawant Patil, Special Land Acquisition Officer, Jalgaon  
for Acquiring Body / State.

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**84 FIRST APPEAL NO.73 OF 2005  
WITH FA/74/2005 WITH CA/7836/2017 IN FA/73/2005**

STATE OF MAHARASHTRA  
VERSUS  
DHONDIRAM HIRALAL DALALE AND OTHERS

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Advocate for Respondents : Mr. A. B. Kale  
AGP for Appellant – State : Mr. A. M. Phule / Mr. S. S. Dande  
Mr. Rajendra Wagh, Special Land Acquisition Officer No.1, Jalgaon  
and Mr. K. A. Sawant Patil, Special Land Acquisition Officer, Jalgaon  
for Acquiring Body / State.

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**85 FIRST APPEAL NO.356 OF 2005  
WITH CA/3820/2005 IN FA/356/2005**

THE SPECIAL LAND ACQUISITION OFFICER M I W JALGAON and  
ANOTHER  
VERSUS

NARYAN NAMDEO GUJAR

...

Advocate for Respondent : Mr. A. B. Kale  
AGP for Appellant – State : Mr. A. M. Phule / Mr. S. S. Dande  
Mr. Rajendra Wagh, Special Land Acquisition Officer No.1, Jalgaon  
and Mr. K. A. Sawant Patil, Special Land Acquisition Officer, Jalgaon  
for Acquiring Body / State.

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**86 FIRST APPEAL NO.448 OF 2005**

STATE OF MAHARASHTRA  
VERSUS  
DAULAT KESHAO GUJAR

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Advocate for Respondent : Mr. A. B. Kale  
AGP for Appellant – State : Mr. A. M. Phule / Mr. S. S. Dande  
Mr. Rajendra Wagh, Special Land Acquisition Officer No.1, Jalgaon  
and Mr. K. A. Sawant Patil, Special Land Acquisition Officer, Jalgaon  
for Acquiring Body / State.

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**91 FIRST APPEAL NO.1252 OF 2007**

STATE OF MAHARASHTRA AND ANOTHER  
VERSUS  
JYOTIBAI GHANSHYAM JAJU

...

Advocate for Respondent : Mr. A. B. Kale  
AGP for Appellant – State : Mr. A. M. Phule / Mr. S. S. Dande  
Mr. Rajendra Wagh, Special Land Acquisition Officer No.1, Jalgaon  
and Mr. K. A. Sawant Patil, Special Land Acquisition Officer, Jalgaon  
for Acquiring Body / State.

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**ORDER**

1. These appeals are placed before today's Lok Adalat with the consent of the parties.

2. Mr. A. M. Phule / Mr. S. S. Dande, learned AGP for the appellant – State is present. Mr. Rajendra Wagh, Special Land Acquisition Officer No.1, Jalgaon and Mr. K. A. Sawant Patil, Special Land Acquisition Officer, Jalgaon are present on behalf of the Acquiring Body / State. The respondents – claimants are represented by their respective Advocates.

3. The learned Advocates for the Acquiring Body/State and the claimants fairly conceded that the Government of Maharashtra, vide Government Resolution No.Sankirna-2014/pa.kra.4/Bham-1/A-4, dated 3<sup>rd</sup> November, 2016 with Government Corrigendums dated 23<sup>rd</sup> February, 2017 and 13<sup>th</sup> August, 2018 to the said Government Resolution, took decision to settle the appeals by accepting the market rates determined by the Reference Court, which are within the parameters set out in the Government Resolution. The statement made by the both the learned advocates is in consonance with the recitals in the Government Resolution. In turn, these appeals are fit to dispose of before the Lok Adalat.

4. The learned Advocates for both the parties further submit that as far as the interest U/s. 28 and 34 of the Land Acquisition Act, 1894 (for short "Act") awarded by the SLAO as well as Reference Court shall be as per verdict by the Full Bench in the case of State of Maharashtra vs. Kailash Shiva Rangari, 2016 (4) ALL MR 513 and the Hon'ble Single Judge in the case of State of Maharashtra vs. Ramesh Tukaram Meshram – 2018 (1) ALL MR 645. In turn, they submit that the impugned Award may be modified to that extent as far as interest is concerned.

5. Having considered the legal position ruled in both the aforesaid judgments, the impugned Award/s stands modified. The interest shall be calculated, if required, as per these two judgments.

6. The Acquiring Body/State shall deposit the amount of compensation as per modified Award within six months from the date of this order. The learned advocates for both the parties further submit fairly that the amount shall not carry interest which would be deposited within period of six months. The statement is accepted. However, it is clarified, if the amount is deposited after six months, then it shall carry the interest in terms of Section 28 or 34 of the Act, as the case may be.

7. The learned advocates for both the parties further made submission on the point of amount deposited. As far as the amount, if any, already deposited and withdrawn fully by the parties, then nothing survives in respect of said amount.

8. The amount deposited in this Court and not withdrawn or which would be deposited in terms of this compromise be transmitted to the concerned Reference Court with further directions to disburse the said amount to the claimants in the terms of this Award and excess amount, if any, to the Acquiring Body.

9. The applicants are at liberty to make appropriate application for withdrawal before the reference Court. If the amount in terms of compromise above is not deposited within six months, the claimants are at liberty to file Execution Proceeding

before the Reference Court.

10. The bank guarantee / security / surety, if any, given by the claimants be released in favour of the claimants.

11. The appeals stand disposed of. The Award be prepared in terms of this order.

12. The Civil Applications, if any, except the application to bring on record legal heirs and the cross objections, stand disposed of.

13. The Court Fee Certificate be issued as per the Rules.

(K. C. SANT)  
Advocate,  
Member

(V. B. MANTRI)  
D.J. (Retd.),  
Member

(R. N. LADDHA, J.)  
Head of the Panel