

**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. 2242 OF 2012

**GMIDC, AURNAGABAD THROUGH EXECUTIVE ENGINEER, LOWER TERNA
PROJECT, LATUR
VERSUS
DADARAO SAKHARAM TINGARE 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 Mr. C.R. Bharaswadkar, learned counsel 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 this panel of 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 to the extent of interest awarded by the Reference Court 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 shall deposit the amount of compensation and interest in view of the Full Bench decision of this Court in case of ***State of Maharashtra Vs Kailash Shiva Rangari*** (supra) within a period of eight (8) months from today in this Court. In case of failure on the part of acquiring body to deposit the agreed amount, the appellants/claimants are entitled to get statutory interest as per the provisions of the Land Acquisition Act, 1894.

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