

**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. 2243 OF 2012

GMIDC, AURNAGABAD THROUGH EXECUTIVE ENGINEER, LOWER
TERNA PROJECT, LATUR
VERSUS
NIVRUTTI MAHALA SONTAKKE (DIED) THROUGH LRS.
BABRUWAN NIVRUTTI SONTAKKE AND OTHERS

AND
FIRST APPEAL NO. 2244 OF 2012

GMIDC, AURNAGABAD THROUGH EXECUTIVE ENGINEER, LOWER
TERNA PROJECT, LATUR
VERSUS
GULAB MAHALA SONTAKKE 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. These Appeals are 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, these appeals 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, these appeals are 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 shall deposit the amount of compensation and interest as per the Full Bench decision of this Court in case of ***State of Maharashtra Vs Kailash Shiva Rangari*** (supra) within a period of 8 (eight) months from today **in this Court**.
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 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