

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

**CIVIL APPELLATE JURISDICTION
BEFORE NATIONAL LOK ADALAT**

**FIRST APPEAL NO. 321 OF 2005
WITH
CIVIL APPLICATION NO. 901 OF 2004
IN
FIRST APPEAL NO. 321 OF 2005**

The State of Maharashtra Appellant
vs.
Dharma T. Bhoir and Ors. Respondents

Mr. A. R. Patil - AGP for the State
Mr. Ashutosh Gavnekar i/by G. Gavnekar – Adv. for the
Respondent Nos. 1 to 8.

**CORAM : S. M. MODAK, J.
D. S. DESHMUKH, REGISTRAR (JUDICIAL-II)
V. A. SATHE, OSD AT CPC**

DATE : 11th DECEMBER, 2021

P.C. :

Consent terms filed by the Appellant and Respondents is taken on record and marked as 'X' for identification.

2. This is appeal filed by the State against the award of the reference Court. The State has given offer of Rs. 22 per square meter, it is acceptable to the Respondents. Out of eight

Respondents, Respondent No. 1- Dharma T. Bhoir is present. We have verified from him about consent terms. He is having power of attorney for rest of the Respondents and original produced. Respondent No. 1 – Dharma has given all the powers to do all the acts which are required to be done in Court proceedings. However, there is no express power to compromise. Otherwise, both the parties have agreed to compromise on principle.

3. In view of the consent terms, the appeal is disposed of.
4. The appellant be refunded the Court fees as per the Rules.
5. Respondents are at liberty to withdraw the amount of compensation remaining if any.
6. The Respondents are directed to furnish a fresh power of attorney involving a clause to compromise the Court's proceedings also. It be produced within four weeks.

(V. A. SATHE)
O.S.D. at CPC

(D. S. DESHMUKH)
Registrar (Judl.-II)

(S. M. MODAK, J.)
(Judge)