

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

943 WRIT PETITION NO.809 OF 2020
AND WP/864/2020 AND WP/865/2020 AND WP/996/2020 AND
WP/997/2020 AND WP/1009/2020 AND WP/808/2020 AND
WP/1010/2020 AND WP/1005/2020 AND WP/981/2020 AND
WP/821/2020 AND WP/823/2020 AND WP/990/2020 AND
WP/991/2020 AND WP/992/2020 AND WP/993/2020 AND
WP/863/2020 AND WP/866/2020 AND WP/867/2020 AND
WP/868/2020 AND WP/869/2020 AND WP/870/2020 AND
WP/871/2020 AND WP/853/2020 AND WP/854/2020 AND
WP/872/2020 AND WP/873/2020 AND WP/874/2020 AND
WP/964/2020 AND WP/972/2020 AND WP/973/2020 AND
WP/970/2020 AND WP/971/2020 AND WP/974/2020 AND
WP/975/2020 AND WP/976/2020 AND WP/985/2020 AND
WP/989/2020 AND WP/994/2020 AND WP/995/2020 AND
WP/998/2020 AND WP/999/2020 AND WP/1000/2020 AND
WP/1004/2020 AND WP/818/2020 AND WP/820/2020 AND
WP/819/2020 AND WP/824/2020 AND WP/822/2020 AND
WP/825/2020 AND WP/826/2020 AND WP/961/2020 AND
WP/962/2020 AND WP/963/2020 AND WP/965/2020 AND
WP/966/2020 AND WP/967/2020 AND WP/968/2020 AND
WP/969/2020 AND WP/828/2020 AND WP/829/2020 AND
WP/830/2020 AND WP/831/2020 AND WP/832/2020 AND
WP/833/2020 AND WP/839/2020 AND WP/841/2020 AND
WP/842/2020 AND WP/843/2020 AND WP/844/2020 AND
WP/845/2020 AND WP/1001/2020 AND WP/837/2020 AND
WP/1002/2020 AND WP/1003/2020 AND WP/813/2020 AND
WP/814/2020 AND WP/838/2020 AND WP/840/2020 AND
WP/850/2020 AND WP/851/2020 AND WP/875/2020 AND
WP/876/2020 AND WP/877/2020 AND WP/1006/2020 AND
WP/1007/2020 AND WP/1008/2020 AND WP/834/2020 AND
WP/835/2020 AND WP/836/2020 AND WP/982/2020 AND
WP/983/2020 AND WP/984/2020 AND WP/986/2020 AND
WP/988/2020 AND WP/846/2020 AND WP/847/2020 AND
WP/848/2020 AND WP/849/2020 AND WP/852/2020 AND
WP/855/2020 AND WP/856/2020 AND WP/857/2020 AND
WP/858/2020 AND WP/859/2020 AND WP/860/2020 AND
WP/812/2020 AND WP/978/2020 AND WP/977/2020 AND
WP/979/2020 AND WP/980/2020 AND WP/862/2020 AND
WP/810/2020 AND WP/811/2020 AND WP/815/2020 AND
WP/817/2020

THE UNION OF INDIA THROUGH GENERAL MANAGER
CHATRAPATISHIVAJI TERMINUS AND ANOTHER
VERSUS
ANIL MACHINDRA SHENDURKAR AND ANOTHER

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AND

969 CIVIL APPLICATION NO.6227 OF 2022
IN WP/861/2020 WITH WP/861/2020 AND WP/816/2020 WITH
CA/6229/2022 IN WP/816/2020 AND CA/6228/2022 IN
WP/827/2020 WITH WP/827/2020 AND WP/987/2020 WITH
CA/6230/2022 IN WP/987/2020

BABASAHEB VAJINATH GHUMBRE
VERSUS
THE UNION OF INDIA THROUGH GENERAL MANAGER
CHATRAPATISHIVAJI TERMINUS AND ANOTHER

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AND

WRIT PETITION NO.3998 OF 2022
WRIT PETITION NO.3999 OF 2022
WRIT PETITION NO.4000 OF 2022
WRIT PETITION NO.4001 OF 2022
WRIT PETITION NO.4002 OF 2022
WRIT PETITION NO.4003 OF 2022
WRIT PETITION NO.4004 OF 2022
WRIT PETITION NO.4005 OF 2022
WRIT PETITION NO.4006 OF 2022
WRIT PETITION NO.4007 OF 2022

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Advocate for Petitioners : Mrs. A.N. Ansari
AGP for Respondent – State : Mr. K.B. Jadhavar
Mr. C.K. Shinde, Mr. G.R. Jagtap, Mr. D.R. Jayabhar, Mr. Nilesh R.
Avhad and Mr. P.V. Barde, Advocate for respective respondents in
respective matters.

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CORAM : SANDEEP V. MARNE, J.

DATE : 19-10-2022

PER COURT :

. Some of the matters are not on board. Taken on board
at the request of the learned counsel for the petitioners.

2. The controversy involved in the present petitions is covered by order dated 13.02.2019 passed by this Court in group of writ petitions (Writ Petition No.13136 of 2018, The Union of India through General Manager and others Vs. State and Others), therefore, these petitions can be disposed by adopting same reasons as recorded in the order dated 13.02.2019.

3. The petitions are accordingly partly allowed. The impugned compromise awards are quashed and set aside and all the concerned Land Acquisition Reference proceedings shall stand remitted to the concerned Land Acquisition Reference courts with following directions:

[a] The petitioners are directed to deposit 50% of the amounts mentioned in the impugned Lok Adalat Awards before the LAR Courts, calculating the same up to 08/07/2017, on or before 31/12/2022 and there shall be no request for extension of time.

[b] If the said amounts are not deposited, the defence of the acquiring body in the LAR proceedings shall be struck off.

[c] If the amounts are deposited, the LAR Court would permit each of the claimants to withdraw their respective share amounts as per the statement pertaining to their respective claims available before the Court.

[d] Each of the claimants would enter an affidavit undertaking that if excess amounts are received,

pursuant to the final decision in the proceedings, the said excess amounts would be redeposited in the LAR Court within 8 weeks from the decision, without interest. After 8 weeks, the said amounts will accrue interest @ 4% per annum till redeposited. Of course, this is subject to further litigation in such cases.

[e] The petitioner/Indian Railways shall, in addition to the above, deposit an amount of Rs.10,000/ per claimant as costs for its conduct as recorded in this order, on or before 31/12/2022. Failure to deposit would invite the same order as set out above in clause (b).

[f] The LAR Court would now accord highest priority to these pending cases for the reason that these claimants need to receive their compensation amounts at the earliest and the growing interest which is to be paid from the tax payers' money will have to be curtailed.

[g] In the event these matters are not settled in Lok-Adalat with the ground work to be done by the concerned Committee constituted under the GR, the LAR Courts shall decide the said proceedings as expeditiously as possible and in any case on or before 31/12/2023. Adjournments on unreasonable grounds sought by the parties shall be refused.'

4. All pending Civil Applications are disposed of.

(SANDEEP V. MARNE, J.)

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