

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

928 CIVIL APPLICATION NO.6530 OF 2022 IN FAST/10412/2022
WITH
CIVIL APPLICATION NO.6531 OF 2022 IN FAST/10412/2022
EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION NO. 1
UNDER GMIDC, AURANGABAD AND OTHERS
VERSUS
WALU S/O RAMCHANDRA DEDWAL AND OTHERS

AND

929 CIVIL APPLICATION NO.6532 OF 2022 IN FAST/10409/2022
WITH
CIVIL APPLICATION NO.6533 OF 2022 IN FAST/10409/2022
EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION NO. 1
UNDER GMIDC, AURANGABAD AND OTHERS
VERSUS
KACHRU S/O THANSING NAGLOT

AND

930 CIVIL APPLICATION NO.6534 OF 2022 IN FAST/10406/2022
WITH
CIVIL APPLICATION NO.6535 OF 2022 IN FAST/10406/2022
EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION NO. 1
UNDER GMIDC, AURANGABAD AND OTHERS
VERSUS
BUDHASING S/O GABRU JARWAL

AND

931 CIVIL APPLICATION NO.6536 OF 2022 IN FAST/10384/2022
WITH
CIVIL APPLICATION NO.6537 OF 2022 IN FAST/10384/2022
EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION NO. 1
AURANGABAD UNDER GMIDC AND OTHERS
VERSUS
MOTILAL S/O MHASU DEDWAL AND OTHERS

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AND

932 CIVIL APPLICATION NO.6538 OF 2022 IN FAST/10290/2022
WITH
CIVIL APPLICATION NO.6539 OF 2022 IN FAST/10290/2022

EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION NO. 1
AURANGABAD UNDER GMIDC, AND OTHERS
VERSUS
RAMBHABAI W/O PHULSING CHANDWADE

....
Mr. B.R. Surwase, Advocate for the Applicants / acquiring body
....

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 27th APRIL, 2022

PER COURT:-

Order in Civil Application for condonation of delay

1. These are the applications for condonation of delay moved by the applicants / acquiring body.
2. Heard Mr. B.R. Surwase, learned counsel for applicants / acquiring body.
3. Issue notice to respondents / claimants in respective applications. Mr. Pradeep M. Janapurkar, learned counsel waives notice for the respondents / claimants in respective applications.
4. Mr. Janapurkar, learned counsel for the respondents / claimants has no objection to condone the delay.

ORDER

(i) The applications are hereby allowed in terms of prayer clause (B).

(ii) The Registry to make scrutiny of the appeals as per procedure and those be numbered and place before the Court for admission.

(iii) The civil applications are accordingly disposed of.

Order in Civil Application for stay

5. These are the applications for stay moved by by the applicants / acquiring body.

7. Heard Mr. B.R. Surwase, learned counsel for applicants / acquiring body. Perused the impugned judgments and awards passed by the reference Court.

8. It is revealed during the course of argument that the S.L.A.O. was pleased to award the compensation in respect of acquired lands at the of Rs.1,205/- per R. Whereas, the reference Court was pleased to enhance the same at the rate of Rs.3,421/- per R. apart from the valuation of trees.

9. So far as the valuation of lands are concerned, it is found to be within four times as per the Government Resolution. As such, the compensation awarded in respect of the trees can be considered at the time of final hearing of the appeals. The acquiring body needs to deposit entire amount of compensation within twelve (12) weeks from today.

ORDER

- (i) There shall be ad-interim relief in terms of prayer clause (B) on condition that the applicants / acquiring body shall deposit the entire amount of compensation under impugned judgments and awards within twelve (12) weeks from today.
- (ii) Issue notice to respondents / claimants in respective applications. Mr. Janapurkar, learned counsel waives notice for the respondents / claimants in respective applications.
- (iii) Inform the concerned Tribunal / executing Court accordingly.
- (iii) Stand over to 12.08.2022 for compliance.

[SHRIKANT D. KULKARNI]
JUDGE

S.P. Rane