

IN THE NATIONAL LOK ADALAT PRESIDED OVER BY
HON'BLE SHRI JUSTICE S.G. MEHARE, J.
HELD ON 07th MAY, 2022
AT HIGH COURT LEGAL SERVICES SUB-COMMITTEE AT AURANGABAD

45 CIVIL APPLICATION NO.6097 OF 2021
IN FAST/11630/2021 WITH CA/6098/2021 IN FAST/11630/2021

M.K.VD.C. LTD., THR EX. ENGINEER, SINA KOLEGAON MEDIUM
PROJECT DIV. PARANDA
VERSUS
KANTABAI DIGAMBAR BALGUDE AND ORS

AND
46 CIVIL APPLICATION NO.6828 OF 2021
IN FAST/10334/2021 WITH CA/6829/2021 IN FAST/10334/2021 WITH
CA/6831/2021 IN FAST/10443/2021 WITH CA/6830/2021 IN
FAST/10443/2021

THE EX. ENGINEER, SEENA - KOLEGAON PROJECT AT PARANDA
VERSUS
SAMPATI LAXMAN KAULE AND ORS

AND
47 CIVIL APPLICATION NO.6733 OF 2022
IN FAST/29469/2021 WITH CA/13091/2021 IN FAST/29697/2021 WITH
CA/13086/2021 IN FAST/29688/2021 WITH CA/13084/2021 IN
FAST/29469/2021 WITH CA/13090/2021 IN FAST/29705/2021 WITH
CA/13085/2021 IN FAST/29469/2021 WITH CA/13087/2021 IN
FAST/29688/2021 WITH CA/13089/2021 IN FAST/29705/2021 WITH
CA/13092/2021 IN FAST/29697/2021

RAMCHANDRA MANIKRAO GHOGARE (DIED) THR LRS.
DHONDIRAMRAMCHANDRA GHOGARE AND ANOTHER
VERSUS
THE EXE. ENGINEER, SEENA KOLEGAON PRO., PARANDA AND OTHERS

AND FIRST APPEAL (ST) NO. 11040 OF 2021

THE EX. ENGINEER, SEENA - KOLEGAON PROJECT AT PARANDA
VERSUS
CHHAGAN DAGADU KAULE AND OTHERS

**AND
FIRST APPEAL (ST) NO. 22664 OF 2021**

**THE EX. ENGINEER, SEENA - KOLEGAON MEDIUM (KRISHNA KHORE)
MIW DIV. PROJECT AT PARANDA AND OTHERS
VERSUS
LAXMAN G. CHAVAN (DIED)
THROUGH L.RS. INDIRABAI AND OTHERS**

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Mrs. S.D. Sheleke, Advocate h/f Mr. A.S. Shelke, Advocate for appellant in
FAST/11630/21, FAST/11040/2021 and FAST/22664/2021

Mr. M.S Kulkarni, Advocate for appellants in FAST/10334/21 and
FA/10443/21

Mr. A.S. More, Advocate for appellant in FAST/29469/21

Mr. A.M. Phule, A.G.P. for State

Mr. J.D. Joshi, Executive Engineer

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ORDER

1. First Appeal (St) Nos. 11040 of 2021 and 22664 of 2021 are not on board. After mentioning they are taken on board.

2. The civil applications for condonation of delay have been taken before the Court. With consent of parties, the delay is condoned. Registry is directed to register the appeals.

3. The civil applications for bringing on record the legal representative of the deceased are allowed. The claimants shall correct the record of the L.A.R. accordingly.

4. Learned advocates for the acquiring body, on instructions, submits that the above numbered appeals are squarely covered by the

Government Resolution No. Sankirna-2014/prakra.4/ Bhag-1/A-4 dated 03rd November, 2016 and subsequent corrigendum dated 23th February 2017 and 13th August, 2018 to the said government Resolution. In turn, these appeals can be withdrawn as per the policy decision taken by the Government of Maharashtra. Accordingly, the acquiring body is withdrawing this appeal. The learned advocates further submits that, if the amount of award is not deposited in this Court, the same shall be deposited within a period of six months from today. The amount so deposited or lying with this Court be transmitted to the reference Court. The reference Court shall disburse the said amount to the original claimants on their applications. The claimants are at liberty to make application before the reference Court and withdraw the amount.

5. The learned advocates for the respective parties are agreeable to the condition that the interest under Section 28 and 34 of the Land Acquisition Act, 1894, awarded by the S.L.A.O. shall be calculated from the date of award passed by the S.L.A.O. In these terms, the dispute is settled.

6. In view of the above, the appeals stand disposed of. The award be prepared in terms of this order.

7. Civil Applications, if any, stands disposed of accordingly.

8. The Court Fee Refund Certificate be issued as per the Rules.

(**S.P. Brahme**)
Advocate
Member

(**S.G. Shete**)
District Judge (Retd.)
Member

(**S.G. Mehare, J.**)
Head of the Panel

Date : 07.05.2022

Place : Aurangabad

SSD