

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BEFORE NATIONAL LOK ADALAT
CIVIL APPELLATE JURISDICTION**

FIRST APPEAL NO.2159 OF 2005

The State of Maharashtra through
the Government of Maharashtra

Mantralaya Mumbai & Ors.

..

Appellants

v/s.

Trimbak Gosavi Chiplekari through

POA Holder Ambaji Gopal Mali

..

Respondent

**WITH
INTERIM APPLICATION NO.3504 OF 2021
WITH
CROSS OBJECTION (ST) NO.657 OF 2006
WITH
CIVIL APPLICATION(ST) NO.16754 OF 2006
WITH
FIRST APPEAL NO.2160 OF 2005
WITH
CROSS OBJECTION (ST) NO.681 OF 2006
WITH
CIVIL APPLICATION (ST) NO.16755 OF 2006
IN
FIRST APPEAL NO.2160 OF 2005
WITH
FIRST APPEAL NO.2161 OF 2005
WITH
CROSS OBJECTION (ST) NO.659 OF 2006
WITH
CIVIL APPLICATION NO.3492 OF 2018
IN
FIRST APPEAL NO.2161 OF 2005**

Mr. Y.Y. Dabake, AGP, for the appellant-State.

Mr. Sachin K. Hande for the respondent and for the appellant in
Cross Objection (St) no.657/2006.

**CORAM : KAMAL KHATA, J.
(HEAD OF THE PANEL)
D.S. DESHMUKH, JUDICIAL-II,
(MEMBER)
D.M. MATA, DEPUTY REGISTRAR,
LEGAL & RESEARCH (MEMBER)**

DATED : 13TH AUGUST, 2022.

P.C. :

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1. Learned advocate for the respondents has taken “*no objection certificate*” from the respondent’s previous advocate. The statement is accepted.
2. Learned advocate for the respondents have taken out civil application for bringing the legal heirs on record.
3. For the reasons stated in the application, the civil application is allowed. Amendment to be carried out forthwith.
4. Learned A.G.P. submits that they have entered into consent terms with the respondents. The same is taken on record and marked ‘X’ for identification.
5. First Appeal No.2159 of 2005 is disposed off in terms of consent terms.

6. The original claimants will be at liberty to withdraw the entire amount if deposited in the Reference Court along with accrued interest, if any. Award be drawn up accordingly.

5. Court fee be refunded as per rules.

6. In view of the disposal of the appeal, all connected interim applications and Cross-Objections, if any, shall stand disposed off.

FIRST APPEAL NO.2160 OF 2005

AND

FIRST APPEAL NO.2161 OF 2005

7. As regards First Appeal Nos.2160 of 2005 and 2161 of 2005 are concerned, learned advocate for the respondents states that these matters be listed before the next Lok Adalat since he needs to take instructions from the original claimants as regards the Cross Objections.

9. Learned A.G.P. states that they are ready and willing to settle the matter at the rate of Rs.25/- per square meter as has been offered to various other claimants. Statement is accepted.

10. Place First Appeal Nos.2160 of 2005 and 2161 of 2005 and connected matters before the next Lok Adalat.

11. Learned advocate for the respondents states that he will communicate this order to the original claimants as well as their advocates by Registered Post Acknowledgment Due.

[D.M. MATA]
Member

[D.S. DESHMUKH]
Member

[KAMAL KHATA, J.]
Head of the Panel