

IN THE NATIONAL LOK ADALAT PRESIDED OVER BY
HON'BLE SHRI JUSTICE KISHORE C. SANT,
HELD ON 11.02.2023,
AT HIGH COURT LEGAL SERVICES SUB-COMMITTEE
AT AURANGABAD

87 FIRST APPEAL NO.3702 OF 2008
GODAVARI MARATHWADA IRRIGATION DEV CORP
VERSUS
PANDHARI SAMBA PARGE and ORS
AND

88 FIRST APPEAL NO.3753 OF 2008
WITH CA/3734/2006 IN FA/3753/2008
GMIDC, AURANGABAD.
VERSUS

THE STATE OF MAHARASHTRA AND ANR
AND

89 FIRST APPEAL NO.3762 OF 2008
WITH FA/3673/2008 WITH CA/800/2007 IN FA/3673/2008
GODAVARI MARATHWADA IRRIGATION DEVELOPMENT
CORPORATION LATUR
VERSUS

THE STATE OF MAH and ORS
AND

91 FIRST APPEAL NO.86 OF 2013
GODAWARI MARATHWADA IRRIGATION DEVP. CORP. LTD.
VERSUS

RAMCHANDRA BABARAO ARADWAD AND ANR
AND

92 FIRST APPEAL NO.612 OF 2018
WITH FA/611/2018 WITH FA/613/2018
EXECUTIVE ENGINEER LOWER TERNA PROJECT DIV, LATUR
THR EXE. ENGINEER, LATUR AND ANR
VERSUS

LIYAKAT MOHAMMAD SHAIKH
AND

**93 FIRST APPEAL NO.2372 OF 2021
WITH CA/2841/2017 IN FA/2372/2021 WITH FA/2376/2021
WITH CA/2845/2017 IN FA/2376/2021 WITH FA/2375/2021
WITH CA/2847/2017 IN FA/2375/2021 WITH FA/2377/2021
WITH CA/2849/2017 IN FA/2377/2021 WITH FA/2374/2021
WITH CA/2851/2017 IN FA/2374/2021 WITH FA/2373/2021
WITH CA/2843/2017 IN FA/2373/2021
EXECUTIVE ENGINEER LOWER TERNA PROJECT DIV, LATUR
THR EXE. ENGINEER, LATUR AND ANR
VERSUS
SHIVKANTH SHRIMANTHAPPA TUGAVE
AND
94 CIVIL APPLICATION NO.5984 OF 2020
IN FAST/12682/2019 WITH CA/5986/2020 IN FAST/12682/2019
WITH CA/5985/2020 IN FAST/12682/2019
G.M.I.D.C., THR THE EX. ENGINEER, LATUR MEDIUM PROJECT
DIVISION AND ANR
VERSUS
GOPINATH NARAYAN DHOBLE (DIED) GAYABAI (DIED) THR
LRSUMAKANT AND ANR**

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Mr.T. B. Bhosale, advocate for the appellants in respective matters
Mr. Ashwin Sakolkar, Advocate with Mr. H. B. Nandagavale, Advocate h/
f Mr. V. G. Sakolkar, Advocate for the respondent No.1 in Sr. No.94
Mr. B. V. Virdhe, AGP for the respondents/State
Mr. Shirish Sangle, Advocate for the appellant in Sr. No. 92 & 93
Mr. N. H. Kulkarni, (GMIDC Latur), Sub-Divisional Engineer, Latur is
present

ORDER
(11th FEBRUARY, 2023)

Civil Applications for delay:-

1. Having regard to the reasons mentioned in the applications

and as the parties have arrived at amicable settlement, it is desirable to condone the delay. The delay stands condoned. The civil applications for condonation of delay, if any stand allowed and disposed off. Office to register the appeals.

First Appeals:-

1. These matters are placed before us in today's National Lok-Adalat. N. H. Kulkarni (GMIDC Latur), Suv-Divisional Engineer, Latur is present.

2. Learned advocate for the acquiring body/Officer submits that above numbered group of appeals is squarely covered by Government Resolution No. Sankirna-2014/pra.kra4/Bham-1/A-4 dated 03-11-2016 with Government Corrigendum dated 23-02-2017 and 13-08-2018 to the said Government Resolution. Hence, the group of appeals can be withdrawn as per the policy decision taken by the Government of Maharashtra. Accordingly, the State is withdrawing these appeals.

3. The learned AGP states that entire amount in these appeals has been deposited and later-on the said amount has been withdrawn by the original claimants by obtaining orders from this court. He submits that in these circumstances nothing survives in these appeals.

4. However, before disposing off the appeals, it is further clarified that in case the amount is not deposited as per the award, the State Government undertakes to deposit the said amount within a period of six months in the concerned Reference Court. If the amount is not deposited within six weeks, then it shall carry the interest in terms of Section 28 or 34 of the Act, as the case may be. If the amount is not withdrawn by the claimants/respondents, same is allowed to be withdrawn and office to allow withdrawal. If the said amount is not deposited, they are at liberty to withdraw the same after the amount is deposited.

5. The first appeals stand disposed off as withdrawn.

6. No order as to costs.

7. The court fee refund certificate be issued as per the provisions under the of Maharashtra Court Fees Act, 1959.

8. In view of withdrawal of these appeals, pending civil applications, if any stand disposed off.

[A. R. BORULKAR]
Advocate
Member

[S. G. SHETE]
DJ (Retd.)
Member

[KISHORE C. SANT, J.]
Head of Panel