



**IN THE NATIONAL LOK ADALAT PRESIDED OVER BY
HON'BLE SHRI JUSTICE SHAILESH P BRAHME
HELD ON 9TH DECEMBER, 2023.**

AT THE HIGH COURT LEGAL SERVICES SUB-COMMITTEE, AURANGABAD

77 CIVIL APPLICATION NO.11622 OF 2016 IN FIRST APPEAL (ST.) NO.22855/2016
WITH CIVIL APPLICATION NO.11623/2016 IN FIRST APPEAL (ST.) NO.22855/2016
AND
WITH CIVIL APPLICATION NO.11618/2016 IN FIRST APPEAL (ST.) NO.22419/2016
WITH CIVIL APPLICATION NO.11619/2016 IN FIRST APPEAL (ST.) NO.22419/2016
AND
WITH CIVIL APPLICATION NO.11644/2016 IN FIRST APPEAL (ST.) NO.22829/2016
WITH CIVIL APPLICATION NO.11645/2016 IN FIRST APPEAL (ST.) NO.22829/2016
AND
WITH CIVIL APPLICATION NO.11648/2016 IN FIRST APPEAL (ST.) NO.22832/2016
WITH CIVIL APPLICATION NO.11649/2016 IN FIRST APPEAL (ST.) NO.22832/2016
AND
WITH CIVIL APPLICATION NO.11646/2016 IN FIRST APPEAL (ST.) NO.22835/2016
WITH CIVIL APPLICATION NO.11647/2016 IN FIRST APPEAL (ST.) NO.22835/2016
AND
WITH CIVIL APPLICATION NO.11630/2016 IN FIRST APPEAL (ST.) NO.22852/2016
WITH CIVIL APPLICATION NO.11631/2016 IN FIRST APPEAL (ST.) NO.22852/2016
AND
WITH CIVIL APPLICATION NO.11628/2016 IN FIRST APPEAL (ST.) NO.22858/2016
WITH CIVIL APPLICATION NO.11629/2016 IN FIRST APPEAL (ST.) NO.22858/2016
AND
WITH CIVIL APPLICATION NO.11634/2016 IN FIRST APPEAL (ST.) NO.22862/2016
WITH CIVIL APPLICATION NO.11635/2016 IN FIRST APPEAL (ST.) NO.22862/2016
AND
WITH CIVIL APPLICATION NO.11636/2016 IN FIRST APPEAL (ST.) NO.22865/2016
WITH CIVIL APPLICATION NO.11637/2016 IN FIRST APPEAL (ST.) NO.22865/2016
AND
WITH CIVIL APPLICATION NO.11638/2016 IN FIRST APPEAL (ST.) NO.22870/2016
WITH CIVIL APPLICATION NO.11639/2016 IN FIRST APPEAL (ST.) NO.22870/2016
AND
WITH CIVIL APPLICATION NO.11640/2016 IN FIRST APPEAL (ST.) NO.22875/2016
WITH CIVIL APPLICATION NO.11641/2016 IN FIRST APPEAL (ST.) NO.22875/2016
AND
WITH CIVIL APPLICATION NO.11642/2016 IN FIRST APPEAL (ST.) NO.22879/2016
WITH CIVIL APPLICATION NO.11643/2016 IN FIRST APPEAL (ST.) NO.22879/2016
AND
WITH CIVIL APPLICATION NO.11626/2016 IN FIRST APPEAL (ST.) NO.22883/2016
WITH CIVIL APPLICATION NO.11627/2016 IN FIRST APPEAL (ST.) NO.22883/2016
AND
WITH CIVIL APPLICATION NO.11624/2016 IN FIRST APPEAL (ST.) NO.22889/2016
WITH CIVIL APPLICATION NO.11625/2016 IN FIRST APPEAL (ST.) NO.22889/2016

AND
WITH CIVIL APPLICATION NO.11632/2016 IN FIRST APPEAL (ST.) NO.22895/2016
WITH CIVIL APPLICATION NO.11633/2016 IN FIRST APPEAL (ST.) NO.22895/2016
AND
WITH CIVIL APPLICATION NO.11620/2016 IN FIRST APPEAL (ST.) NO.22985/2016
WITH CIVIL APPLICATION NO.11621/2016 IN FIRST APPEAL (ST.) NO.22985/2016

THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION, LATUR (UNDER
GMIDC AURANGABA) AND OTHERS
VERSUS
SUSHILABAI DINKAR PATIL AND OTHERS

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Mr. D. B. Pawar, Advocate for the Appellant-Acquiring Body
Mr. N. H. Kulkarni, Sub Divisional Engineer, Minor Irrigation Division, Latur
(GMIDC), present on behalf of the Acquiring Body.

O R D E R

1. The learned Advocate Shri D. B. Pawar, for the Appellant-Acquiring Body, and Mr. N. H. Kulkarni, Sub Divisional Engineer, Minor Irrigation Division, Latur (GMIDC), are present today before the Lok Adalat.
2. The learned Advocate Shri D. B. Pawar, for the Appellant-Acquiring Body, submits that these appeals are covered by the Government Resolution dated 03.11.2016 read with subsequent corrigendum dated 23.02.2017 and 13.08.2018. The Appellant-Acquiring Body wants to withdraw the appeals in view of the said Government Resolution/Policy.
3. As the matters are covered by the Government Resolution/Policy and can be permitted to withdraw, it is desirable to condone the delay. For the reasons stated in the applications, the delay is condoned. The office is directed to register the first appeals.
4. In view of the Judgement of this Court in the case of **State of Maharashtra**

Vs. Kailash Shiva Rangari, reported in [2016 (4) ALL MR 513 (F.B.)] and the State of Maharashtra & others Vs. Ramesh Tukaram Meshram & ors [2018 (1) ALL MR 645], the interest under sections 34 and 28 of the Land Acquisition Act would be payable from the date of Award and not from the date of notification. The awards to the extent, so far as the interest part is concerned, are modified.

5. In view of the statement of the learned Advocate on instructions, all the first appeals are disposed of as withdrawn.

6. The Appellant/Acquiring Body shall deposit the compensation amount as per the modified awards within a period of six months before the Reference Court. If the amount is not deposited within stipulated period, then it shall carry interest as per sections 34 and 28 of the Land Acquisition Act. On depositing the amount of compensation, the Respondents/claimants shall be at liberty to withdraw the same alongwith interest accrued, if any.

7. Court fees be refunded as per Rules.

8. Award be drawn accordingly.

9. Pending Civil Applications also stand disposed of.

(A. R. BORULKAR)
Advocate
Member

(S. G. SHETE)
District Judge
(Retd.)
Member

(SHAILESH P. BRAHME, J.)
Head of the Panel

Date: 09.12.2023

Place: Aurangabad

JPChavan