

**IN THE NATIONAL LOK ADALAT PRESIDED OVER BY
HON'BLE SHRI JUSTICE KISHORE C. SANT,
HELD ON 30.04.2023,
AT HIGH COURT LEGAL SERVICES SUB-COMMITTEE
AT AURANGABAD**

FIRST APPEAL NO. 978 OF 2023

The Executive Engineer Medium Project Latur,
through the Executive Engineer,
Minor Irrigation Division, Latur
Through Godavari Marathwada Irrigation
Development Corporation, Aurangabad .. Appellant

Versus

Chandrakant Annasaheb Suryawanshi and another .. Respondents

Mr. B. R. Surwase, Advocate h/f Mr. Sudhir G. Bhalerao, Advocate for
the Appellant.

Mr. N. D. Kendre, Advocate for Respondent No. 1.

Mr. A. M. Phule, AGP for Respondent No. 2.

ORDER
(30th April, 2023)

. The matter is not on board. However, at the request of the parties taken on board.

2. Mr. B. R. Surwase, learned counsel holding for Mr. Bhalerao, learned counsel for the appellant is present. Mr. Kendre, learned counsel for respondent No. 1 is present. The officer Mr. Anant P. Kumbhar, Sub Divisional Engineer, Minor Irrigation Division, Latur is also present on behalf of Acquiring Body .

3. The learned Advocate for the Acquiring Body and the claimant fairly conceded that the Government of Maharashtra vide Government Resolution No. Sankirna-2014/pra.kra.4/Bham-1/A-4 dated 3rd November, 2016 with Government Corrigendum dated 23rd February, 2017 and 13th August, 2018 to the said Government Resolution took decision to settle the appeals by accepting the market rates determined by the Reference Court, which are within parameters set out in the Government Resolution. The statement made by both the learned advocates is in consonance with the recitals in the Government Resolution. In turn, this appeal is fit to dispose of before the Lok Adalat.

4. The learned Advocates for both the parties further submits that as far as the interest u/s 28 and 34 of the Land Acquisition Act, 1894 awarded by the SLAO as well as Reference Court shall be as per verdict by the Full Bench in the case of **State of Maharashtra Vs. Kailash Shiva Rangari, 2016 (4) ALL MR 513** and the Hon'ble Single Judge in the case of **State of Maharashtra Vs. Ramesh Tukaram Meshram, 2018 (1) ALL MR 645**. In turn, they submit that the impugned award may be modified to that extent as far as interest is concerned.

5. The learned advocates for both the parties submit that they have amicably settled the matter and accordingly placed on record

compromise pursis. The compromise pursis is marked as Article "X" for the purpose of identification. The appellant is ready to deposit the remaining amount in this Court within a period of six (06) months from the date of this award. The claimant is permitted to withdraw the same on its deposit. The decree be drawn in terms of the same.

6. The first appeal stands disposed off. The award be prepared in terms of this order.

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

(A. R. BORULKAR)
Advocate
Member

(S. G. SHETE)
D.J. (Retd.)
Member

(KISHORE C. SANT, J.)
Head of Panel

P.S.B.