



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

65 FIRST APPEAL NO. 434 OF 2023
WITH
CIVIL APPLICATION NO. 4440 OF 2024
IN FA/434/2023

THE EX. ENGINEER, MINOR IRRIGATION DIVISION, OSAMANABAD
VERSUS
JYOTIRAM BALIRAM CHAVAN AND ORS

...
Advocate for Appellant : Mr. Gadekar Anant D.
AGP for Respondents 2 & 3 : Mr. G.O. Wattamwar
Advocate for Respondent 1 : Ms. Mrunal Andhare h/f. Mr. A.B. Kale
...

CORAM : KISHORE C. SANT, J.
Dated : July 16, 2024

PER COURT :-

1. The learned advocates for the parties submit that in similar matters arising out of the same acquisition proceedings and same notification, bearing First Appeal No. 437/2023 and other connected matters, this Court has modified the award by order dated 30.3.2023 by replacing the date '20.8.2004' to '17.4.2006' in clause 6 of the impugned award dated 3.10.2013. Rest of the award is maintained as it is. The respondents/claimants and the learned AGP do not dispute the said position. In view of the same, following order.

ORDER

(i) In clause-6 of the impugned award dated 03.10.2013 the date "20.08.2004" be replaced with "17.04.2006". Only to this extent the award stands modified. Rest of the terms of the award to remain same.

(ii) The amounts which are deposited in this Court by the

appellant Acquiring Body be paid to the respective respondents - claimants in terms of modified award and the balance amount be paid back to the Acquiring Body.

(iii) With, this appeal is disposed of accordingly along with the Civil Applications, if any.

(KISHORE C. SANT, J.)

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