



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

981 CIVIL APPLICATION NO. 14193 OF 2023
IN ARBAST/36142/2023
WITH
ARBAST/36142/2023

HIRABAI SHIVAJI GAWALI
VERSUS
THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Mr. Warma Bharatkumar Ramdeo
AGP for Respondent/State : Mrs. A.S. Mantri
Advocate for Respondents 2 & 4 : Mr. R.R. Bangar h/f. Mr. A.G. Talhar
Advocate for Respondent 5 : Mr. N.Y. Chavan h/f. Mr. S.P. Urgunde

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CORAM : ARUN R. PEDNEKER, J.
Dated : September 27, 2024

PER COURT :-

1. Heard.
2. This is an application for condonation of delay of 689 days caused in filing the Arbitration Appeal. For the reasons stated in the application, the delay of 689 days caused in filing the Arbitration Appeal is condoned. The application is allowed. Office to register the appeal.
3. The learned counsel for the applicant has placed on record the judgment and order dated 27.9.2023 passed by this Court in Arbitration Appeal No. 22/2022 (Govind Eknath Shirole Vs. The Competent Authority and Ors.) and other connected matters, wherein in the identical facts situation, this Court has allowed the Arbitration Appeals and remanded the matters back to the Arbitral Tribunal to work out calculation of statutory benefits under the Land Acquisition Act, 1894, receivable by the appellants therein, in terms of clause (6) of the award.
4. The learned counsel for the respondent has not disputed the facts of

the order being passed nor being challenged before the Hon'ble Supreme Court. In view of the above, the judgment and order dated 27.9.2023 passed by this Court in Arbitration Appeal No. 22/2022 and other connected matters is made applicable to the instant case. Hence, I pass the following order :-

ORDER

- (I) Arbitration Appeal is allowed in terms of prayer clause 'C'.
- (II) The matter is remanded back to the Arbitral Tribunal to work out calculation of statutory benefits under the Land Acquisition Act, 1894, receivable by the appellants therein, in terms of clause (6) of the award.
- (III) Arbitral Tribunal shall complete this exercise expeditiously and in any case within a period of six months from the date of receipt of writ of this order.

(ARUN R. PEDNEKER, J.)

ssc/