

IN THE NATIONAL LOK ADALAT PRESIDED OVER BY
HON'BLE SHRI JUSTICE NEERAJ P. DHOTE,
HELD ON 22.03.2025
AT HIGH COURT LEGAL SERVICES SUB-COMMITTEE AT
AURANGABAD

223 CIVIL APPLICATION NO. 12818 OF 2013
IN FAST/22019/2013
WITH
CIVIL APPLICATION NO. 12815 OF 2013
IN FAST/**21955**/2013
WITH
CIVIL APPLICATION NO. 12816 OF 2013
IN FAST/21955/2013
WITH
CIVIL APPLICATION NO. 12817 OF 2013
IN FAST/**22019**/2013

Executive Engineer, Latur Medium Project Division
VERSUS
Daulat Gulam Mohammad Shaikh And Another

...

Advocate for the Appellant : Mr. B. R. Surwase
Advocate for Respondent : Mr. Sangle Shirish G.

..

AND

224 CIVIL APPLICATION NO. 3625 OF 2014
IN FAST/**2986**/2014
WITH
CIVIL APPLICATION NO. 3626 OF 2014
IN FAST/2986/2014
WITH
CIVIL APPLICATION NO. 3627 OF 2014
IN FAST/2986/2014

Godawari Marathwada Irrigation Development Corporation Latur
VERSUS
Wagambar Eknathrao Gore

...

Advocate for Appellant : Mrs. Kalpalata Patil (Bharaswadkar)

...

AND

225 CIVIL APPLICATION NO. 7640 OF 2019
IN FA/2340/2019

WITH
FIRST APPEAL NO. **2332** OF 2019

WITH
CIVIL APPLICATION NO. 7605 OF 2019
IN FA/2332/2019

WITH
FIRST APPEAL NO. **2335** OF 2019

WITH
CIVIL APPLICATION NO. 7611 OF 2019
IN FA/2335/2019

WITH
FIRST APPEAL NO. **2337** OF 2019

WITH
CIVIL APPLICATION NO. 7634 OF 2019
IN FA/2337/2019

WITH
FIRST APPEAL NO. **2338** OF 2019

WITH
CIVIL APPLICATION NO. 7636 OF 2019
IN FA/2338/2019

WITH
FIRST APPEAL NO. **2340** OF 2019

WITH
FIRST APPEAL NO. **2333** OF 2019

WITH
CIVIL APPLICATION NO. 7607 OF 2019
IN FA/2333/2019

WITH
FIRST APPEAL NO. **2339** OF 2019

WITH
CIVIL APPLICATION NO. 7638 OF 2019
IN FA/2339/2019

WITH

FIRST APPEAL NO. **2334** OF 2019

WITH
CIVIL APPLICATION NO. 7609 OF 2019
IN FA/2334/2019

WITH
FIRST APPEAL NO. **2336** OF 2019

WITH
CIVIL APPLICATION NO. 7613 OF 2019
IN FA/2336/2019

The Ex. Engineer, Minor Irrigation Division, Latur Thr G.m.i.d.c.,
Aurangabad

VERSUS

Bapurao Tukaram Mule And Anr

...

Advocate for Appellant : Mr. S. G. Bhalerao, Mr. B. R. Surwase

...

AND
112 CIVIL APPLICATION NO. 4846 OF 2012
IN FAST/33559/2011

WITH
CIVIL APPLICATION NO. 4847 OF 2012
IN
FA(ST) No. 33559 of 2011

WITH
CIVIL APPLICATION NO. 4848 OF 2012
IN FAST/**33316**/2011

WITH
CIVIL APPLICATION NO. 4849 OF 2012
IN FAST/33316/2011

WITH
CIVIL APPLICATION NO. 4866 OF 2012
IN FAST/**33446**/2011

WITH
CIVIL APPLICATION NO. 4852 OF 2012
IN FAST/**33445**/2011

WITH
CIVIL APPLICATION NO. 4853 OF 2012
IN FAST/33445/2011

WITH
CIVIL APPLICATION NO. 4867 OF 2012
IN FAST/33446/2011

WITH
CIVIL APPLICATION NO. 4861 OF 2012
IN FAST/**33451**/2011

WITH
CIVIL APPLICATION NO. 4864 OF 2012
IN FAST/**33452**/2011

WITH
CIVIL APPLICATION NO. 4862 OF 2012
IN FAST/33452/2011

WITH
CIVIL APPLICATION NO. 4865 OF 2012
IN FAST/33452/2011

WITH
CIVIL APPLICATION NO. 4850 OF 2012
IN FAST/33458/2011

WITH
CIVIL APPLICATION NO. 4851 OF 2012
IN FAST/33458/2011

WITH
CIVIL APPLICATION NO. 4872 OF 2012
IN FAST/**33465**/2011

WITH
CIVIL APPLICATION NO. 4871 OF 2012
IN FAST/33465/2011

WITH
CIVIL APPLICATION NO. 4875 OF 2012
IN FAST/**33468**/2011

WITH
CIVIL APPLICATION NO. 4877 OF 2012
IN FAST/33468/2011

WITH
CIVIL APPLICATION NO. 4873 OF 2012

-5-

IN FAST/**33474**/2011

WITH
CIVIL APPLICATION NO. 4874 OF 2012
IN FAST/33474/2011

WITH
CIVIL APPLICATION NO. 4854 OF 2012
IN FAST/**33477**/2011

WITH
CIVIL APPLICATION NO. 4855 OF 2012
IN FAST/33477/2011

WITH
CIVIL APPLICATION NO. 4860 OF 2012
IN FAST/**33487**/2011

WITH
CIVIL APPLICATION NO. 4858 OF 2012
IN FAST/33487/2011

WITH
CIVIL APPLICATION NO. 4856 OF 2012
IN FAST/33492/2011

WITH
CIVIL APPLICATION NO. 4857 OF 2012
IN FAST/33492/2011

WITH
CIVIL APPLICATION NO. 4868 OF 2012
IN FAST/**33521**/2011

WITH
CIVIL APPLICATION NO. 4870 OF 2012
IN FAST/33521/2011

The Executive Engineer, Latur Minor Irrigation Div.

VERSUS

Ajit Dagdusaheb Deshmukh And Anr

...

Advocate for Appellant/ Acquiring Body : Mr.P. R. Tandale. Mr. S.G. Bhalerao, Mrs. Kalplata Patil Baraswadka, Mr. B. R. Surwase respectively

Advocate for Respondent : Mr. G.K.Sonttake

..

ORDER

1. These Appeals are placed before today's National Lok Adalat with the consent of the parties.
2. Mr. M.R. Kale, Executive Engineer, Latur Minor Irrigation Division, is personally present before us along with learned Advocate Mr.P. R. Tandale. Mr. S.G. Bhalerao, Mrs. Kalplata Patil Baraswadkar, Gajnan Sonttake respectively appear on behalf of Acquiring Body. The Executive Engineer placed on record the copy of the communication dated 20.03.2025 issued by Executive Engineer, Latur Laghu Patbandhare Vibhag, Latur. The same is taken on record and marked as Exhibit-1.
3. These are the appeals filed by the Acquiring Body, against the Judgment and Order of the Award passed by the learned Reference Court.
4. They submit that the amount of compensation enhanced by the learned Reference Court is within four times of the compensation awarded by the Special Land Acquisition Officer. They submit that, there is policy decision of the State Government vide Government Resolution No. Sankirna-2014/pr.kra.41/Bhag-1/A4 dated 3rd November, 2016 along with subsequent corrigendum dated 23rd February 2017 and 13th August 2018 to the said Government Resolution, that if the enhanced compensation by the Reference Court is within four times, then

against the Award passed by the learned Special Land Acquisition Officer, the appeal shall not be preferred. So there is no dispute of this aspect. In view of the said policy of the State Government, the Acquiring Body desires to withdraw these appeals. In view of the above, permission is granted to withdraw these appeals.

5. The learned Advocate for both the parties further submit that as far as the interest under Section 28 and 34 of the Land Acquisition Act, 1894 (for short "Act") 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.

6. Having considered the legal position ruled in both the aforesaid judgments, the impugned Award/s stands modified. The interest shall be calculated, if required as per these two judgments.

7. The amount deposited by the Acquiring Body in this Court, shall be disbursed to the claimants. If Acquiring Body has not deposited the amount, the same shall be deposited within a period of six months from the date of order.

8. In view of the above, these appeals stand disposed of as

withdrawn. No order as to costs.

9. The Award be prepared in terms of this order.
10. The Civil Applications, if any, stand disposed of.
11. The Court Fee Certificate be issued as per the Rules.

(A.R. BORULKAR)
Advocate
Member

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

(NEERAJ P. DHOTE)
Judge
Head of the Panel

Date: 22.03.2025
Place: Aurangabad

ysk/