



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

62 FIRST APPEAL NO. 2653 OF 2017

KHIRAJI HARIBHAU SHINDE

....Appellant

VERSUS

THE STATE OF MAHARASHTRA AND ORS

.....Respondents

.....

Advocate for Appellant : Mr. K. B. Jadhav

Advocate for Respondent No.3 : Mr. V. C. Solshe

...

AND

64 FIRST APPEAL NO. 3868 OF 2017

MAHADEO HARIBHAU SHINDE

....Appellant

VERSUS

THE STATE OF MAHARASHTRA AND ORS

.....Respondent

.....

Advocate for Appellant : Mr. K. B. Jadhav

AGP for Respondent/State: Mr. R. B. Dhaware

Advocate for Respondent No.3 : Mr. S. G. Bhalerao

.....

CORAM : SANDIPKUMAR C. MORE, J.

DATED : 03 FEBRUARY , 2025

ORDER:-

1. Heard rival submissions.
2. Though the appellants/claimants in both these appeals, have challenged the impugned awards passed by the learned Reference Court i.e. learned District Judge-2, Jalna, in Land Acquisition Reference No. 39 of 2001, dated 22.08.2008 and

Land Acquisition Reference No. 41 of 2001, dated 22.08.2008, but during the pendency of the appeals amicable settlement took place between the concerned parties. Moreover, the Acquiring Body in both these appeals have also settled another connected matter before the Lok Adalat on 30.11.2024 wherein certain rates considering the class of acquired lands are agreed by both the rival parties.

3. Today, the learned counsel for both the appellants in these appeals as well as the learned counsel for Acquiring Body submitted that the same rate granted in the aforesaid Lok Adalat can be granted in these matters also along with other conditions.

4. Thus, now the parties have agreed to dispose of these appeals on following conditions :-

(I) The parties have agreed that the Acquiring Body shall pay four times of the amount awarded by Special Land Acquisition Officer or Rupees 2400/- per R in case of Non Irrigated land, Rs. 3600/- per R for Semi Irrigated Land, Rs. 4800/- per R for Irrigated Land and Rs. 1200/- per R for Pot Kharab land, whichever is lesser. Both the contesting parties, agreed that the lands involved in these appeals are irrigated land. The respondent No.3-Acquiring Body in both these appeals shall deposit the amounts of compensation, so arrived within 18 months from today.

(ii) If the amount is deposited within 18 months from today, by the Acquiring Body, then both the appellants/claimants have agreed not to claim interest for the period of this 18 months. In case the amount is not deposited within 18 months, the said amounts shall carry interest as per the legal provision in The Land Acquisition Act 1894.

(iii) It is made clear that, for the period of delay which caused in filing these appeals the appellants/claimants shall not be entitled to claim any interest as per the law. Further, it is also made clear that the claimants shall not be entitled to claim any interest for the period mentioned in the order dated 3rd February 2023, in proceedings before Hon'ble Supreme Court bearing SLP No. 3600 of 2022 & SLP No. 3334 of 2022.

(iv) The interest be paid as per judgment in Full Bench in case of **State of Maharashtra Vs. Kailash Shiva Rangari, 2016 (4) ALL MR 513.**

(v) After the amounts are deposited, the same be paid to the appellants/claimants in both these appeals.

5. With these conditions, the present appeals are disposed off.

6. The awards be prepared accordingly.

7. The Civil Applications, pending if any, also stand disposed of.

(SANDIPKUMAR C. MORE, J.)