

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

FIRST APPEAL STAMP NO. 1486 OF 2015

The State of Maharashtra and another .. Appellants

Versus

Bharat Dagadu Vibhute .. Respondent

Shri S. P. Deshmukh, A.G.P. for Appellants/State.
Shri Eknath G.Irale, Advocate for the Respondent.

CORAM : S. V. GANGAPURWALA, J.

DATE : 23RD OCTOBER, 2015.

PER COURT :

1. Mr. Deshmukh, the learned Assistant Government Pleader submits that, the Reference Court has granted exorbitant compensation amount. The sale instances Exh. 13 and Exh. 14 cannot be said to be exemplar sale instances. The sale deeds Exh. 13 and Exh. 14 are in respect of lands situated in Nagar Parishad area. It was situated in the residential area. The same could not have been exemplar sale deeds.

2. Mr. Irale, the learned counsel for the respondent supports the order.

3. I have considered the judgment. The Reference Court has

valued the lands acquired at the rate of Rs. 6,000/- per acre. It has not granted the compensation as per the valuation of the sale deeds Exh. 13 and Exh. 14 as the said sale instances were in respect of the lands situated near to the residential area, 35% amount has been deducted while considering the valuation of the acquired lands. The total enhanced compensation is also not much. The same would be Rs. 27,000/-.

4. The Reference Court has adopted reasonable yardstick. As such the first appeal is dismissed. No costs.

[S. V. GANGAPURWALA, J.]

bsb/Oct. 15