

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

...

1106 FIRST APPEAL (ST) NO.1737/2013

**WITH FAST/1886/2013 WITH CA/3789/2013 IN FAST/1886/2013
WITH**

**FAST/1871/2013 WITH CA/3791/2013 IN FAST/1871/2013
WITH**

**FAST/1877/2013 WITH CA/3793/2013 IN FAST/1877/2013
WITH**

**FAST/1890/2013 WITH CA/3795/2013 IN FAST/1890/2013
WITH**

FAST/1737/2013 WITH CA/3797/2013 IN FAST/1737/2013

THE STATE OF MAH

VERSUS

RAOSAHEB RANGNATH SATHE AN ORS

...

**AGP for Applicant : Mr. S. P. Deshmukh
Advocate for Respondents : Mr. K S Bhore**

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CORAM : S. V. GANGAPURWALA, J.

DATE : 16th October, 2015

PER COURT :

1. Heard learned counsel for the respective parties.
2. Learned AGP submits that the reference court has granted exorbitant compensation amount. According to learned AGP, the reference court, without considering the fertility and situation of the lands acquired, has enhanced the compensation amount. The reference court has granted compensation @ Rs.60,000/- per hectare for jirayat land Rs.90,000/- per hectare for seasonally bagayat land. According to learned AGP, the reference

court has relied on the judgments delivered by it in respect of the lands acquired from other villages.

3. Mr. Bhore, the learned counsel for the claimants submit that various sale instances were produced on record to prove the market rate. Sale deeds in respect of the lands of the same vicinity have been produced on record which shows that lands were sold @ Rs.30,000/- per acre.

4. With the assistance of learned counsel for the respective parties, I have gone through the judgment.

5. The reference court, while fixing the market value, has considered the sale instance showing sale @ Rs.30,000/- per acre. The reference court has also considered the potentiality of the land that village Hanga is situated on Pune Ahmednagar highway. The reference court has considered the references decided in respect of the lands acquired from village Supa and surrounding villages thereto. The reference court considered that Supa and Hanga villages have good potentiality and chance of future development. In the present references, the reference court awarded Rs.60,000/- per acre for Jirayat land and Rs.90,000/- for

seasonally irrigated land. Market price fixed by the reference court appears to be reasonable. Amount of enhancement is also not much as the lands acquired are small pieces of land.

6. Considering the above, the judgment and award passed by the reference court needs no interference. First appeals as such are dismissed. No costs.

7. In view of dismissal of first appeals, civil applications for stay also stand disposed of.

(S. V. GANGAPURWALA, J.)

JPC