

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

FIRST APPEAL NO. 462 OF 2003

The State of Maharashtra	..	Appellant
Versus		
Narhari Deorao Munde	..	Respondent

**WITH
FIRST APPEAL NO. 463 OF 2003**

The State of Maharashtra	..	Appellant
Versus		
Babu Sukhedo Mane	..	Respondent

**WITH
FIRST APPEAL NO. 466 OF 2003**

The State of Maharashtra	..	Appellant
Versus		
Vishwambhar Annasaheb Rudrawar	..	Respondent

Shri D. V. Tele. A. G. P. for the Appellant/State in all matters.
Shri Vijay Patil, Advocate h/f Shri S. M. Godsay, Advocate for the
Respondent in F. A. No. 463 of 2003.

**CORAM : S. V. GANGAPURWALA, J.
DATE : 15TH SEPTEMBER, 2015.**

PER COURT :

. The References filed by present respondents U/Sec. 18 of the Land Acquisition Act are partly allowed. Aggrieved thereby State has filed present appeals.

2. Mr. Tele, the learned Assistant Government Pleader submits

that, though Exhibit 17 and 18 i. e. sale instances have been discarded by the Reference Court, still compensation is enhanced to Rs. 375/- per R. The Special Land Acquisition Officer had awarded compensation at the rate of Rs. 50/- to Rs. 60/- per R. According to the learned A. G. P. there was no evidence whatsoever to enhance the compensation amount and more particularly after the sale instances relied by the respondents were discarded.

3. I have considered the submissions canvassed by the learned A. G. P. The compensation awarded by the Reference Court is at the rate of Rs. 15,000/- per acre i. e. Rs. 375/- per R. The notification U/Sec. 4 of the L. A. Act is dated 23.02.1984. The sale instance Exhibit 17 is dated 19.05.1981 wherein 13 Guntha land was sold for Rs. 17,000/-. The consideration amount would naturally come to almost Rs. 45,000/- per acre. The said sale instance is of bagayat land. Even if I reduce 50% of the amount, still the consideration of the land would be more than Rs. 15,000/- per acre for the Jirayat land. The said sale transaction is prior to the notification U/Sec. 4 of the L. A. Act.

4. Considering the above, the Reference Court has awarded modest amount as compensation. In the light of the above, the first appeals are dismissed. No costs.

[S. V. GANGAPURWALA, J.]