

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

FIRST APPEAL NO. 1159 OF 2003

The State of Maharashtra
Through the SLAO, MIW
& Percolation Tank Nanded. .. Appellant

Versus

Gangaram S/o Rajlingu
Age : 35 Years, Occu. : Agril.,
R/o Rahati, Tq. Bhokar,
Dist. Nanded .. Respondent

Shri D. V. Tele, A.G.P. for the Appellant.
Shri S. V. Kurundkar, Advocate for the Respondent.

**WITH
FIRST APPEAL NO. 1160 OF 2003**

The State of Maharashtra
Through the SLAO, MIW
& Percolation Tank Nanded. .. Appellant

Versus

Potanna s/o Vithal,
Age : 25 Years, Occu. : Agril.,
R/o Rahati, Tq. Bhokar,
Dist. Nanded .. Respondent

Shri D. V. Tele, A.G.P. for the Appellant.
The Respondent sole served.

WITH

FIRST APPEAL NO. 1161 OF 2003

The State of Maharashtra
Through the SLAO, MIW
& Percolation Tank Nanded. .. Appellant

Versus

Rajanna s/o Devanna Bujurg,
Age : 35 Years, Occu. : Agril.,
R/o Rahati, Tq. Bhokar,
Dist. Nanded .. Respondent

Shri D. V. Tele, A.G.P. for the Appellant.
Shri S. V. Kurundkar, Advocate for the Respondent.

CORAM : S. V. GANGAPURWALA, J.
DATE : 30TH SEPTEMBER, 2015.

ORAL JUDGMENT :-

. The respondents/claimants being dissatisfied with the amount of compensation awarded by the Special Land Acquisition Officer filed references U/Sec. 18 of the Land Acquisition Act. The Reference Court partly allowed the References. Aggrieved thereby the State has filed the present appeals.

2. Mr. Tele, the learned Assistant Government Pleader submits that, the Reference Court arbitrarily enhanced the compensation amount. There is no evidence to show that the quality of the land was good and the yearly crops were taken in

the land to extent of Rs. 8,000/- to 10,000/- per acre. The sale deed of the land situated in another village has been considered. No proper reasoning was given while enhancing compensation amount.

3. I have considered the judgment and record and proceedings. The Reference Court has considered sale instance by virtue of which it has come to the conclusion that the market price of the land in the year 1982 was Rs. 8,00/- per acre. The Special Land Acquisition Officer had considered valuation of the land on the basis of sale instance of the year 1979, wherein land was sold at the rate of Rs. 3,00/- per acre. The sale deeds of the relevant period that is at the time of notification U/Sec. 4 of the Land Acquisition Act has been considered by the Reference Court and arrived at reasonable conclusion. Modest amount of Rs. 8,000/- per acre as compensation has been fixed by the Reference Court. Even total enhancement would come to Rs. 16,000/- only.

4. Considering the above, no error has been committed by the Reference Court. As such, first appeals are dismissed. No costs.

Sd/-

[S. V. GANGAPURWALA, J.]

bsb/Sept. 15