

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

FIRST APPEAL STAMP NO.:4449 OF 2013

WITH

CIVIL APPLICATION NO.:5267 OF 2013

The State Of Maharashtra And Others

VERSUS

Dnyanoba Rajaram Mohite

ALONGWITH

FIRST APPEAL STAMP NO.:4498 OF 2013

WITH

CIVIL APPLICATION NO.:5258 OF 2013

The State Of Maharashtra And Others

VERSUS

Vishwambhar Goroba Jadhav

ALONGWITH

FIRST APPEAL STAMP NO.:4495 OF 2013

WITH

CIVIL APPLICATION NO.:5260 OF 2013

The State Of Maharashtra And Others

VERSUS

Popat Limba Mane

ALONGWITH

FIRST APPEAL STAMP NO.:4511 OF 2013

WITH

CIVIL APPLICATION NO.:5262 OF 2013

The State Of Maharashtra And Others

VERSUS

Chandrashekhhar Dagdu Rohile

ALONGWITH

FIRST APPEAL STAMP NO.:4508 OF 2013

WITH

CIVIL APPLICATION NO.:5264 OF 2013

The State Of Maharashtra And Others
VERSUS
Vithoba Rajaram Mohite

A N D

FIRST APPEAL STAMP NO.:4505 OF 2013

WITH
CIVIL APPLICATION NO.:5266 OF 2013

The State Of Maharashtra And Others
VERSUS
Bapurao Gorakh Kshirsagar

...

Mr. P.P.More, AGP for the Appellant / Applicant – State.

Mr. V.V.Ingale, Advocate for the Respondents.

...

CORAM : **N. W. SAMBRE, J.**

DATE : 01st August, 2015.

Per Court :

1 Heard.

2 With the consent of the parties, the appeals are taken up for final disposal at admission stage.

3 The appeals are by the State questioning the enhancement order under Section 18 of the Land Acquisition Act by judgment and award dated 5th April, 2011, whereby the Reference Court has enhanced the compensation.

4 Mr. More, learned AGP would urge that the compensation awarded is exorbitant and the sale instance and judgment in other LARS

relied upon, are inappropriately relied upon.

5 So as to analyze the said contention, I have perused with the assistance of learned counsel for the parties, the proceedings and the judgment under challenge.

6 The land in question is acquired for the purpose of irrigation. It is also not in dispute that the acquired land was established to be an irrigated. The enhancement is based on the sale instance Exhibit – 30 and considering the date of said sale-deed, the Court has enhanced the price by 10% for each year. Apart from above, the Court has placed reliance upon the judgments in LAR Nos. 64 and 65 of 2000 decided on 19th December, 2006 and LAR Nos.60, 61 and 63 of 2000 decided on 22nd November, 2010.

7 In my opinion, the enhanced amount of compensation is based on the sale instance Exhibit – 30 and the judgment in other LARs. No case for interference is made out. Accordingly, the appeals are dismissed.

8 In view of dismissal of first appeals, pending civil applications for stay, do not survive and the same are disposed of.

[N. W. SAMBRE, J.]