

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

**FIRST APPEAL St. NO. 5282 OF 2015
WITH
CIVIL APPLICATION NO. 6141 OF 2014**

The Executive Engineer, Irrigation Department,
Osmanabad.

... Applicant

VERSUS

The State of Maharashtra & Anr.

... Respondents

.....
Mr Rajale, Advocate for the applicant
Mr P. P. More, AGP for respondent/State
.....

**ALONG WITH
FIRST APPEAL ST NO. 5398 OF 2015
WITH
CIVIL APPLICATION NO. 6143 OF 2015**

**FIRST APPEAL ST NO. 5393 OF 2015
WITH
CIVIL APPLICATION NO. 6145 OF 2015**

CORAM : S. V. GANGAPURWALA, J.
DATE : 28TH AUGUST, 2015.

PER COURT:

. Heard Mr Rajale, learned Counsel for the applicant and
Mr P. P. More, learned AGP for respondent/State.

2. Learned Counsel for the applicant states that, exorbitant amount of compensation has been granted by the reference Court and same is granted without considering the relevancy of the land in the sale nor it is considered that the land under the sale is similarly situated with the acquired land.

3. The land is acquired for construction of Tambewadi Minor Irrigation Project at Tambewadi. This Court has confirmed the judgment of the reference Court, granting compensation at the rate of Rs. 37,500/- to Rs. 40,000/-. In the present case also, the compensation is granted considering the land as jirayat land and the sale instances is also rightly considered. 10% deduction has been made in the sale transaction. The other appeals filed by the present appellants in respect of the lands acquired for the same project have already been dismissed.

4. In light of the above, the present appeals also stand dismissed, however, with no order as to costs.

5. In view of disposal of main appeals, nothing survives for consideration in the connected applications for stay, same stand disposed of.

[S. V. GANGAPURWALA, J.]

sgp