

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

FIRST APPEAL NO.1899/2015

Motichand Hiranman Chavan
Versus
The State of Maharashtra
2]The Special Land Acq.Officer,Osmanabad
3]The Executive Engineer (Nirman),Central Railway,Solapur

...
Shri V.P.Kadam,Adv. for appellant
Shri D.V.Tele,AGP for respondent nos.1 and 2.
Shri M.N.Navandar,Adv. for respondent no.3
...

CORAM : S.V.GANGAPURWALA,J.

DATED : 12TH OCTOBER, 2015

ORDER :-

The present appeal is limited to the extent of non grant of interest u/s 28 of the Land Acquisition Act by the Reference Court.

2] Heard Mr.Kadam, learned counsel for appellant, learned AGP for respondent State and Mr.Navandar, for respondent no.3.

3] As the issue with regard to the quantum of the amount of compensation awarded is not important to decide present appeal, the same is not considered.

4] Present appeal is restricted to the extent of non grant of interest u/s 28 of the Land Acquisition Act.

5] The Reference Court has not given any reasons while not granting benefit of interest u/s 28 of the Land Acquisition Act as to why the claimant is not entitled for the said interest.

6] There is no reason for not granting interest u/s 28 of the Act. In light of that, the order passed by Reference Court is modified to the extent that the appellant/claimant would also be entitled for the benefit u/s 28 of the Act.

7] In the result, I pass following order :

In addition to the award passed by Reference Court, it is held that respondent shall also pay interest to the present appellant u/s 28 of the Land Acquisition Act. First Appeal accordingly disposed of. No costs.

[S.V.GANGAPURWALA,J.]

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