

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

FIRST APPEAL NO. 364 OF 2012

Godawari Marathwada Irrigation
Development Corporation.

...Appellant

versus

Sheshrao s/o Bapurao Shinde
Died thr. L.Rs.

Ajendra @ Raju s/o Sheshrao Shine & ors.

...Respondents

.....
Mrs. Kalpalata Patil, Advocate for appellant
Mr. P. P. More, A. G. P. for respondent/State
.....

CORAM : N.W. SAMBRE, J.

DATE : 10th JULY, 2015

ORAL ORDER :

Parties to the present appeal agree for the remand of the matter to the Reference Court, as the Reference Court in paragraphs-14 and 15 has not applied its mind to the evidence and proceeded to award enhanced compensation.

2. In view thereof, the appeal preferred by acquiring body is hereby allowed.

3. The award delivered in L. A. R. No. 294 of 1982 on

26/06/2009 by the learned Civil Judge, Senior Division, Parbhani is hereby set aside. The said reference is restored to the file of Civil Judge, Senior Division, Parbhani, who is directed to decide the said reference from the stage of final hearing, as expeditiously as possible and in any case, within period of three months from today.

4. The parties hereto agree that they shall appear before the Reference Court on 27/07/2015 and shall co-operate the Reference Court for deciding the reference on merit.

[N.W. SAMBRE, J.]