

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

1007 CIVIL APPLICATION NO. 13181 OF 2015
IN FAST/10881/2015 WITH CA/13182/2015 IN FAST/10881/2015 WITH
CA/13183/2015 IN FAST/11007/2015 WITH CA/13184/2015 IN
FAST/11007/2015 WITH CA/13185/2015 IN FAST/10998/2015 WITH
CA/13186/2015 IN FAST/10998/2015 WITH CA/13187/2015 IN
FAST/11004/2015 WITH CA/13188/2015 IN FAST/11004/2015 WITH
CA/13189/2015 IN FAST/11001/2015 WITH CA/13190/2015 IN
FAST/11001/2015

THE STATE OF MAHARASHTRA
VERSUS
BHAGWAT DAJI ADSUL AND ANOHER
...
A.G.P.for Applicant : Shri S.P.Sonpawale

**CORAM : S V GANGAPURWALA, J.
Dated: 16th October 2015**

PER COURT :-

1. I have considered the first appeals on merit. Learned AGP submits that the Reference Court has granted compensation @ Rs.47,250/- per acre, whereas the S.L.A.O. had granted compensation @ Rs.19,000/- per hectare. According to learned A.G.P., two sale instances were produced on record though they were in respect of lands situated in the same village as that of the acquired land. However, the same cannot be said to be the exemplar as the said sale was in respect of small area of land.

2. The claimants had produced sale deeds Exhibits 27 and 28. The said sale deeds are proved by examining the vendor. The sale deeds are in respect of the lands situated in the same village as that of the acquired land. It would be seen that the sale deed Exhibit-

28 is dated 24.4.1993. The same is prior to the Notification under section 4 dated 9.9.1993. The said sale instance is in respect of sale of 16R land. If the said sale instance is considered, the price would come to Rs.67,500/- per acre. The another sale instance is of 27.11.1991. The same is of 3-1/2 R which is rightly discarded in respect of sale instance Exhibit-28. The Court has deducted 30% of the value as the same was in respect of small area of land and there has been reasonable and proper. As such the first appeals are dismissed. C.A. also stands disposed of.

(S V GANGAPURWALA, J.)