

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

FIRST APPEAL STAMP NO. 11868 OF 2015

The State of Maharashtra and another .. Appellants

Versus

Kusum Bhaskarrao Jadhawar
and another .. Respondents

Shri S. P. Deshmukh, A.G.P. for Appellants.

**WITH
FIRST APPEAL STAMP NO. 11873 OF 2015**

**CORAM : S. V. GANGAPURWALA, J.
DATE : 23RD OCTOBER, 2015.**

PER COURT :

. Mr. Deshmukh, the learned Assistant Government Pleader submits that, sale instance considered by the Reference Court was in respect of small piece of lands, as such said sale instance could not have been said to be comparable sale instance. The learned A. G. P. submits that, the Special Land Acquisition Officer after considering various sale instances had awarded compensation at the rate of Rs. 25,650/- per acre, which was reasonable.

2. I have considered the judgment. The Reference Court has considered Exhibit 13 i. e. sale instance in respect of sale of the

land from the same village of the acquired land. The said sale instance is of the year 1989 i. e. more than five years prior to the notification U/Sec. 4 of the Land Acquisition Act. The Court has also deducted some amount as it was a small area of land under the sale deed and thereby awarded compensation at the rate of Rs. 40,000/- per acre, which appears to be reasonable and proper.

3. Considering the above, the first appeals are dismissed. No costs.

[S. V. GANGAPURWALA, J.]

bsb/Oct. 15