

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

FIRST APPEAL NO. 525 OF 2002

The State of Maharashtra through
Special Land Acquisition Officer .. Appellant

Versus

Smt. Kevalbai Maharu Patil .. Respondent

WITH

FIRST APPEAL NO. 526 OF 2002

The State of Maharashtra through
Special Land Acquisition Officer .. Appellant

Versus

Zambai Samsoddin Pinjari .. Respondent

WITH

FIRST APPEAL NO. 527 OF 2002

The State of Maharashtra through
Special Land Acquisition Officer .. Appellant

Versus

Smt. Sindhubai Sajan Patil .. Respondent

Shri P. P. More, A.G.P. for Appellants/State in all matters.
The Respondent is served in all matters.

**CORAM : S. V. GANGAPURWALA, J.
DATE : 20TH AUGUST, 2015.**

PER COURT :

. The respondents/claimants being aggrieved by the compensation awarded by the Special Land Acquisition Officer filed references U/Sec. 18 of the Land Acquisition Act before the Reference Court. The Reference Court partly allowed the references. The State has assailed the said awards.

2. Mr. More, the learned Assistant Government Pleader for the State submits that, the sale instance Exhibit 29 has been discarded by the Reference Court which is of the same village as it is not proved. The sale instance of village Dahiwad is relied. The distance of the land under sale deed at Exhibit 30 of village Dahiwad is three kilometers from the acquired land, still almost the said consideration is considered by the Reference Court while awarding compensation to the claimants. According to the learned A. G. P. same is erroneous and does not stand to any reason. The S.L.A.O. after considering all the relevant aspects of the matter had rightly granted just amount of compensation. The lands were Jirayat lands.

3. With the assistance of learned Assistant Government Pleader, I have gone through the judgment. Small fractions of lands have been acquired. The enhanced amount of compensation is from Rs. 2,700/- to Rs. 15,000/-. Only in one case it is Rs. 34,000/-. The meager enhancement appears to have been

granted.

4. Be that as it may, the sale instance at Exhibit 30 is considered. The same is prior to one year of notification U/Sec. 4 of the L. A. Act. The Reference Court has not added 10% increase in the said amount as is normally done. The said village is on the west side of the road and the lands acquired from village Khadksim are on the East side of the road. The said aspect is also considered.

5. Considering the aforesaid aspects of the matter, no case for interference is made out. The first appeals are dismissed. No costs.

[S. V. GANGAPURWALA, J.]

bsb/Aug. 15