

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

...
FIRST APPEAL NO. 67 OF 2003

SPECIAL LAND ACQUISITION OFFICER JALGAON

VERSUS

LAXMAN VISHRAM PATIL(DEC)LRS PUNDALIK L.PATIL &ORS

...

Advocate for Appellants : Mr. D. V. Tele, Astt. Govt.
Pleader

...

CORAM : S. V. GANGAPURWALA, J.

DATE : 9th September, 2015

PER COURT :

1. Mr. Tele, the learned AGP submits that the Reference Court has exorbitantly enhanced the compensation amount. Sale instance of village Mhasikota has been considered which is erroneous. The lands acquired are from village Dongargao. Even house property is acquired. According to the learned AGP, the S.L.A.O. has considered the report in proper perspective and awarded correct amount of compensation.

2. I have considered the judgment and the record and proceedings.

3. Distance between village Dongargaon and Mhasikota is around 1.5 kms. The said village is at the boundary of Jalgaon and Aurangabad Districts. The plot

acquired is purchased for residential purpose. As per the sale instance, price of the open plot comes to Rs. 178.58/- per sq. mtr. However, the court has awarded compensation @ Rs.170/- per sq. mtr. Valuer Prakash Baser is examined who has deposed that the said houses are valued as per the DSR rates of 1986-87. The report has been proved. The State has not examined any one to prove the value of the houses. Even it is nowhere stated that the DSR rates applied are improper.

4. Considering the above, the first appeal is dismissed. No costs.

(S. V. GANGAPURWALA, J.)

JPC