

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

FIRST APPEAL NO.98/2004

The State of Maharashtra.

...Appellant..

Versus

Ramchandra Bapu Satav.

...Respondent...

.....

Shri G.O. Wattamwar, AGP for appellant.

Shri V.D. Sonawane, Advocate h/f Shri A.K. Gawali,
Advocate for respondent.

.....

CORAM: T.V. NALWADE, J.

DATE: 21.11.2015

ORDER :

1] Present appeal is filed to challenge the judgment and award in Land Acquisition Reference No.87/1998, which was pending in the Court of Civil Judge, Senior Division, Ahmednagar. The Reference Court has enhanced the compensation by making the rate as Rs.200/- per Aare when the Land Acquisition Officer had granted the rate of Rs.140/- per Aare.

2] Heard both the sides.

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3] A copy of judgment dated 30.9.2015 delivered by this Court in First Appeal No.37/2004 with connected appeals is produced on record, which is taken on record. The judgment dated 30.9.2015 shows that few matters from the same award had come before this Court. In those matters also, the compensation was enhanced to make the rate of Rs.200/- per Aare when Land Acquisition Officer had granted the rate as Rs.140/- per Aare. This Court dismissed the appeals filed by the State by holding that appropriate rate is given by the Reference Court and that rate is fixed on the basis of sale instances and other circumstances. In view of the judgment dated 30.9.2015, which is not challenged by the State further till today, this Court holds that the decision given by this Court in the previous judgment needs to be followed.

4] Thus, there is no merit in the appeal and the same stands dismissed.

(T.V. NALAWADE, J.)