

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

FAST/14241/2015 WITH FAST/14343/2015 WITH
FAST/14346/2015 WITH FAST/14340/2015 WITH
FAST/14349/2015 WITH FAST/14352/2015 WITH
FAST/14337/2015

THE STATE OF MAHARASHTRA
VERSUS
PRADEEP HARIBHAU BEMBADE AND ANOTHER

.....
Mr S. M. Jadhav, AGP for applicant/State
.....

CORAM : **S. V. GANGAPURWALA, J.**
DATE : **11TH SEPTEMBER, 2015.**

PER COURT:

. Learned AGP submits that, the reference Court has awarded exorbitant amount of compensation. Section 4 notification is dt. 25.03.1993. According to the ld. AGP, the Court has not properly considered the revenue assessment as was considered by the Special Land Acquisition Officer. The sale instances are also not considered properly. According to the learned AGP, even the compensation of trees is paid to the owner of land Gut No. 22, which is exorbitant. Lands acquired are also Jirayat lands. The sale deed Exh. 18 cannot be said to be a comparable sale instance.

2. I have considered the judgment delivered by the reference Court. The amount enhanced are paltry sum of Rs. 15,000/- to 20,000/-. The Court has considered the sale deed Exh. 18, which is prior to the notification u/s 4. The sale deed is in respect of the land situated at Kumbhari i.e. the place from where the lands are acquired. The Court

has rightly considered the same. The reference Court has also considered the situation of the land and thereby has arrived at a correct conclusion. The sale instance has been rightly considered by the reference Court.

3. Considering the above, First Appeals are dismissed. No costs.

[S. V. GANGAPURWALA, J.]

sgp