

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

FIRST APPEAL NO. 1515 OF 2013

THE STATE OF MAHARASHTRA AND ANR
VERSUS
GANPAT BHAGWAN MOTE AND ANR THR. GPA
AMRATA BHAGWAN MOTE

...
AGP for Appellants : Mr. D. R. Korde.

...

CORAM : **N. W. SAMBRE, J.**
DATE : 01st August, 2015.

P.C.:

1 The learned AGP submits that enhancement granted by judgment and award dated 2nd February, 2011 delivered by 2nd Joint Civil, Judge, Senior Division, Osmanabad, is exorbitant. So as to analyze the said submission, I have perused the judgment and award delivered by the Reference Court and noted that in the present case, Section 4 notification was issued on 20th March, 1997. The claimant while establishing his case, has relied upon sale instance dated 28th February, 1994 by which 7 Ares land was sold for Rs.40,000/- and by sale instance dated 23rd February, 1995, 37 Ares land was sold for Rs.50,000/-. It was established by the claimant that the said land, about which sale instance produced on record is an adjacent land, the Court then proceeded to analyze the same and has awarded compensation at the rate of Rs.40,000/- per Acre.

2 In my opinion, the compensation awarded based on sale instance is reasonable. No interference is called for. Hence, the appeal being devoid of merit stands dismissed.

[N. W. SAMBRE, J.]

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