

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

FIRST APPEAL STAMP NO.19694 OF 2013

The State of Maharashtra

..Appellant
(Original respondent)

Versus

Mahadu Bala Walunj
since deceased, through L.Rs.

1. Gangadhar Mahadu Walunj,
2. Balasaheb Mahadu Walunj,
3. Sunita Kashinath Shete
4. Dattatraya Mahadu Walunj
5. Bahiru Mahadu Walunj
6. Yamunabai Mahadu Walunj
7. Chandrabhaga Mahadu Walunj

Age major, Occu. Agriculturists,
R/o Kaknewadi, Post Kanhur Pathar,
Taluka Parner, Dist. Ahmednagar

..Respondents
(Original Claimants)

Mr V.P. Kadam, A.G.P. for appellant

CORAM : N.W. SAMBRE, J.

DATE : 17th August 2015

PER COURT

1. Pursuant to Section 4 notification dated 17th July 1986, the land of the respondents-claimants was acquired for the purpose of percolation tank.
2. The Land Acquisition Officer awarded compensation at the rate of Rs.8,000/- per hectare, as against the claim of Rs.62,500/- per hectare.

3. The enhancement of the same was sought by the claimants under Section 18 of the Land Acquisition Act which came to be allowed by the Civil Judge, Senior Division, Ahmednagar on 25th February 2011, as such present appeal.

4. The enhancement that was granted is to the tune of Rs.17,120/- which according to the appellant- State is at the rate of Rs.20,000/- per hectare. The land in question is a Jirayat land and while enhancing the compensation, the reference Court has relied upon the judgment dated 17th July 1986 in Land Acquisition Reference No.15/1991.

5. Having regard to the quantum of enhancement granted and the reliance placed by the reference Court upon similar land acquisition reference, in my opinion, no case for interference is made out. As such, appeal fails, stands dismissed.

(N.W. SAMBRE, J.)

vvr