

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

FIRST APPEAL ST NO. 21204 OF 2014
WITH
CIVIL APPLICATION NO. 7342 OF 2015

The Executive Engineer M.P. Irrigation Division
Osmanabad & Anr.

Applicants..

VERSUS

Vijaykumar Ramrao Patil

Respondent..

.....
Mrs M. B. Gangwal, Advocate for the applicants
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ALONG WITH
FIRST APPEAL ST NO. 21224 OF 2014
WITH
CIVIL APPLICATION NO. 7346 OF 2015

FIRST APPEAL ST NO. 21220 OF 2014
IN
CIVIL APPLICATION NO. 7344 OF 2015

CORAM : **S. V. GANGAPURWALA, J.**
DATE : 23RD OCTOBER, 2015.

PER COURT:

. Mrs M. B. Gangwal, learned Counsel for the appellant/applicant submits that the reference Court has granted exorbitant amount of compensation. She further submits that, the reference Court relied upon the sale instance Exh. 30 and has failed to consider the said sale instance in respect of a small piece of land and same cannot be said to be exemplar for evaluating the market value.

2. I have considered the judgment.

3. The Court has granted the compensation at a rate of Rs. 600/- per R for Jirayat land and Rs. 1200/- for Bagayat land. The Court has not considered Exh. 30 alone. If Exh. 30 is perused, the said sale is at a rate of Rs. 2000/- per R, however, the Court on the ground that the said sale is in respect of a small piece of land has discarded the said sale transaction, however has considered the other evidence such as the award Exh. 31 passed in other references wherein the State / acquiring body has settled the matter with the claimants giving the compensation at a rate of Rs. 600/- per R. For the same acquisition with other persons, the State / acquiring body has agreed compensation at a rate of Rs. 600/- per R for jirayat land, the same rate is awarded in present case also. For Bagayat land, twice the rate of jirayat land has been awarded, which is legal and proper. In light of that, the present First Appeals are dismissed. No costs.

4. In view of disposal of main appeals, nothing is left for consideration in the connected civil applications for stay and same stand disposed of.

[S. V. GANGAPURWALA, J.]

sgp