

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

**FIRST APPEAL NO. 83 OF 2015
WITH
CIVIL APPLICATION NO.13360 OF 2010**

The State of Maharashtra,
through Collector, Beed
& anr

...Appellants

versus

Vithal Ramji (Died L.Rs.)
Kalyan Vithalrao Shejul,
Age: Major, Occ: Agri.,
R/o. Abegaon, Tq. Majalgaon,
Dist. Beed & ors

...Respondents

WITH

**FIRST APPEAL NO. 84 OF 2015
WITH
CIVIL APPLICATION NO.13649 OF 2010**

The State of Maharashtra,
through Collector, Beed
& anr

...Appellants

versus

Sanjay Bansidharrao Shejul,
Age: Major, Occ: Agri.,
R/o. Abegaon, Tq. Majalgaon,
Dist. Beed

...Respondents

WITH

**FIRST APPEAL NO. 86 OF 2015
WITH
CIVIL APPLICATION NO.13368 OF 2010**

The State of Maharashtra,
through Collector, Beed
& anr

...Appellants

versus

Dattatraya s/o Mokindrao,
Age: Major, Occ: Agri.,
R/o. Abegaon, Tq. Majalgaon,
Dist. Beed & ors

...Respondents

WITH

**FIRST APPEAL NO. 99 OF 2015
WITH
CIVIL APPLICATION NO.13362 OF 2010**

The State of Maharashtra,
through Collector, Beed
& anr

...Appellants

versus

Desai s/o Garud Shejul
Died through L.Rs.
Vilas s/o Desai Shejul,
Age: Major, Occ: Agri.,
R/o. Abegaon, Tq. Majalgaon,
Dist. Beed & anr

...Respondents

.....
Mr. G.R. Ingole, D.R. Korde, P.P. More, A.G.Ps. for appellants
Mr. T.J. Poul, Advocate h/f Mr. V.H. Solanke, Advocate respondents
.....

CORAM : N.W. SAMBRE, J.

DATE : 3rd AUGUST, 2015

ORAL ORDER :

Learned A.G.P. urged that the enhanced compensation granted by the Reference Court is exorbitant and as such, sought setting aside the judgment of the Reference Court whereby the reference Court enhanced the compensation @ Rs.555/- per Are.

2. Learned Counsel for the respondents-claimants supported the judgment.

3. It is required to be noted that the sale instance that is taken into account by Reference Court is dated 18/03/1996 at Exhibit-38 whereby Ramkisan Dhondiba Shejul has sold area of 40 Are of Abegaon Shiwar to one Vithal Shejul for consideration of Rs.37,000/- on 18/03/1996. It is brought on record in the evidence that distance between the acquired land and land covered under sale deed Exhibit-38 is about 1 k.m. even though from same village. Considering the said sale deed Exhibit-38 and other sale instances, the Reference Court has granted compensation, particularly in the back ground of the fact that the distance between acquired land and land covered under sale deed @ Rs.555/- per Are against the cost of Rs.925/- per Are mentioned in the sale deed. The enhancement is based on appropriate common sense and guess work and appreciation of evidence that is brought on record, particularly in the background of sale instance Exhibit-38. No case for interference is made out. The appeals fail, same stand dismissed. Consequently, civil applications stand disposed of.

[N.W. SAMBRE, J.]