

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

**FIRST APPEAL NO. 85 OF 2015
WITH
CIVIL APPLICATION NO. 13654 OF 2010**

The State of Maharashtra
Through Collector, Beed
& ors

...Appellants

versus

Pandurang s/o Deorao Pawar,
Age: 68 years, Occ: Agri.,
R/o. Asardoh (Ramji Naik Tanda),
Tq. Dharur, Dist. Beed

...Respondent

WITH

**FIRST APPEAL NO. 98 OF 2015
WITH
CIVIL APPLICATION NO. 13647 OF 2010**

The State of Maharashtra
Through Collector, Beed
& ors

...Appellants

versus

Namdeo s/o Deorao Pawar,
Age: 60 years, Occ: Agri.,
R/o. Asardhoh (Ramji Naik Tanda),
Tq. Dharur, Dist. Beed

...Respondent

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Mr. G.R. Ingole, D.R. Korde, A.G.Ps. for appellants
Mr. M.S. Bhosale, Advocate h/f Mr. N.L. Jadhav, Advocate for
respondent

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CORAM : N.W. SAMBRE, J.

DATE : 3rd AUGUST, 2015

ORAL ORDER :

Heard learned A.G.P. for the appellant and learned Counsel for the respondent.

2. The enhancement is questioned on the ground of exorbitant, as according to the appellant, sale instance is taken into account has no relevance with the land under acquisition.

3. With the assistance of learned A.G.P., I have perused the judgment delivered by the Reference Court. The reference Court, upon analyzing the evidence, has given finding that the sale instance at Exhibit-27 is genuine one, which pertains to the land in the vicinity of land covered under acquisition. The reference Court has reduced the value by 30% and then considered the difference between Notification under section 4 of the Land Acquisition Act and the date of sale deed and fixed the value of land acquired as Rs.342/- per Are. The enhancement is granted after considering the sale instance and after appreciation of evidence about distance between the acquired land and one covered under sale instance. No illegality is noticed. The appeals fail, same stand dismissed. Consequently, civil applications stand disposed of.

[N.W. SAMBRE, J.]