

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

FIRST APPEAL NO.180 OF 2015

1. The State of Maharashtra
through the Collector, Beed
 2. The Executive Engineer, M.I.
(L.S.), Div. Beed ..Appellants
- Versus
- Suryabhan Ashraji Dhumal
Age Major, Occu. Agri.,
R/o Kasari, Taluka Ashti,
District Beed ..Respondent

- WITH -

FIRST APPEAL NO.181 OF 2015

1. The State of Maharashtra
through the Collector, Beed
 2. The Executive Engineer, M.I.
(L.S.), Div. Beed ..Appellants
- Versus
- Radhabai Raghunath Agrwal
Age Major, Occu. Agri.,
R/o Kasari, Taluka Ashti,
District Beed .. Respondent

Mr D.R. Korde, Advocate for appellants
Mr C.K. Shinde, Advocate for respondents

CORAM : N.W. SAMBRE, J.

DATE : 10th August 2015

PER COURT

Heard.

2. The enhancement awarded by the reference Court under Section 18 of the Land Acquisition Act is questioned on the ground that the reference Court has awarded exorbitant compensation.

3. With the assistance of learned Counsel, I have perused the findings recorded by the reference Court.

4. The claimants have relied upon the evidence which was recorded in Land Acquisition Reference No.143/2010.

5. P.W.1 Suryabhan in the said L.A.R. has deposed at Exh.11 and has brought on record 7/12 extract at Exh.14 and village map at Exh.16. The sale instance which is taken into account i.e. Exh.17 for 58-R, out of Survey No.37 for a consideration of Rs.2,00,000/- i.e. Rs.5,000/- per R with a share in the bore-well.

6. The second sale instance which is taken into account is Exh.18 of 20-R land out of Survey No.39 for a consideration of Rs.1,40,000/- i.e. Rs.7,000/- per R is dated 9th May 2000. Both these sale instances are from the same village, as is required to be appreciated from the village map which is placed on record at Exh.16.

7. Considering both the sale instances, the reference Court has reached to a conclusion that the market price of the land in question should be fixed at Rs.3,500/- per R. Admittedly, the appellants herein except the cross-examination of the claimant has not brought on record any other evidence.

8. The enhancement awarded by the reference Court, which is based on the sale instances (cited supra) and the village map, in my opinion, appears to be just and proper.

9. As such, no case for interference is made out. The appeals fail, stand dismissed.

(N.W. SAMBRE, J.)

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