

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

**FIRST APPEAL NO. 1490 OF 2014
WITH
CIVIL APPLICATION NO. 18175 OF 2010**

The State of Maharashtra and Others .. Appellants

Versus

Shesharao Bhimrao Shinde .. Respondent

**WITH
FIRST APPEAL NO. 1491 OF 2014
WITH
CIVIL APPLICATION NO. 18171 OF 2010**

The State of Maharashtra and Others .. Appellants

Versus

Balaji Nagorao Hasnale .. Respondent

**WITH
FIRST APPEAL NO. 1492 OF 2014
WITH
CIVIL APPLICATION NO. 18169 OF 2010**

The State of Maharashtra and Others .. Appellants

Versus

Narsing Mahipati Biradar .. Respondent

**WITH
FIRST APPEAL NO. 1489 OF 2014
WITH
CIVIL APPLICATION NO. 18120 OF 2010**

The State of Maharashtra and Others .. Appellants

Versus

Vishvambhar Dhondopant Kulkarni .. Respondent

Shri S. G. Sangle, A. G. P. for Appellant Nos. 1 and 2.
Shri S. D. Dhongade, Advocate for the Appellant No. 3.
Shri V. G. Sakolkar, Advocate for the Respondent / Sole.

CORAM : S. V. GANGAPURWALA, J.
DATE : 31ST AUGUST, 2015.

PER COURT :

1. In all these matters the enhanced compensation is in respect of the lands only and does not involve the issue with regard to enhancement for trees.

2. I have heard Mr. Sangle, the learned A. G. P. and Mr. Sakolkar, the learned counsel for appellants and the respondent respectively.

3. Mr. Sakolkar, the learned counsel submits that, some of the appeals filed against the References decided vide judgment dated 17.04.2008 by the Reference Court in respect of the notification under Section 4 dated 08.09.2005 have been dismissed by the learned Single Judge of this Court vide order dated 21st July, 2015 bearing First Appeal No. 1416 of 2014 with connected first appeals. The present appeals also assail the very same judgment dated 17.04.2008 of the Reference Court in which also lands are acquired under the same notification under Section 4 of the Land Acquisition Act, dated 08.09.2005.

4. The learned A. G. P. has gone through the judgment dated 21st July, 2015, passed by this Court in First Appeal No. 1416 of 2014 and confirms that, the lands involved in the said appeals and the present appeals are acquired for the same project and vide the same notification under Section 4 of the Land

Acquisition Act. However, the learned A. G. P. submits that, without any basis the valuation of the trees has been enhanced by 50% of the amount awarded by the S. L. A. O. The same is without any basis.

5. In the present appeals the compensation for trees is not granted.

6. Considering the above and for the reasons recorded in the judgment dated 21st July, 2015 in First Appeal No. 1416 of 2014 with connected appeals, the present appeals also stand disposed of. Civil applications also stand disposed of. No costs.

[S. V. GANGAPURWALA, J.]

sam/Aug. 15