

Ananda s/o. Ganoji Dhage,)
Age: 54 years, Occu. Agri,)

R/o. Ghungrala, Tq. Biloli,) .. **Applicant.**
Dist. Nanded.)

Versus

1)The State of Maharashtra)
Through Collector Nanded,)
Dist. Nanded.)

2)The Sub Divisional Officer,)
And Land Acquisition Officer,)
Degloor, Dist. Nanded.)

3)Maharashtra Industrial) .. **Respondents.**
Development Corporation,)
a Corporation body per its)
Divisional Officer Latur,)
Divisional Officer, Latur.)

4)Maharashtra Industrial)
Development Corporation,)
Through its, Regional Officer,)
Regional Office, Beside Ujwal)
Enterprises, Hingoli Road,)
Nanded.)

Mr. G. G. Suryawanshi, Advocate, for applicant.

Mrs. R. K. Ladda, Additional Public Prosecutor, for respondent
No. 1 and 2.

Mr. S.B. Bhosale, Advcate for respondent No. 3 and 4.

CIVIL REVISION APPLICATION NO.176 OF 2014

Sambhaji s/o. Ganoji Dhage,)
Age: 47 years,Occu. Agri,)
R/o. Ghungrala, Tq. Biloli,) .. **Applicant.**
Dist. Nanded.)

Versus

- 1)The State of Maharashtra)
Through Collector Nanded,)
Dist.Nanded.)
- 2)The Sub Divisional Officer,)
And Land Acquisition Officer,)
Degloor, Dist. Nanded.)
- 3)Maharashtra Industrial) **.. Respondents.**
Development Corporation,)
a Corporation body per its)
Divisional Officer Latur,)
Divisional Officer, Latur.)
- 4)Maharashtra Industrial)
Development Corporation,)
Through its, Regional Officer,)
Regional Office, Beside Ujwal)
Enterprises, Hingoli Road,)
Nanded.)

Mr. G. G. Suryawanshi, Advocate, for applicant.

Mrs. S. A. Ambad, Additional Public Prosecutor, for respondent Nos. 1 and 2.

Mr. S.B. Bhosale, Advocate for respondent No. 3 and 4.

CIVIL REVISION APPLICATION NO.177 OF 2014

Banarasbai w/o Sambhaji Dhage,)
Age: 43 years,Occu. Agri,)
R/o. Ghungrala, Tq. Biloli,) **.. Applicant.**
Dist. Nanded.)

Versus

- 1)The State of Maharashtra)
Through Collector Nanded,)
Dist.Nanded.)
- 2)The Sub Divisional Officer,)

And Land Acquisition Officer,)
 Degloor, Dist.Nanded.)

3)Maharashtra Industrial) **.. Respondents.**
 Development Corporation,)
 a Corporation body per its)
 Divisional Officer Latur,)
 Divisional Officer, Latur.)

4)Maharashtra Industrial)
 Development Corporation,)
 Through its, Regional Officer,)
 Regional Office, Beside Ujwal)
 Enterprises, Hingoli Road,)
 Nanded.)

Mr. G. G. Suryawanshi, Advocate, for applicant.

Mrs. M. S. Patni, Additional Public Prosecutor, for respondent
 Nos. 1 and 2.

Mr. S.B. Bhosale, Advocate for respondent No. 3 and 4.

CIVIL REVISION APPLICATION NO.178 OF 2014

Rukminbai w/o Ananda Dhage,)
 Age 47 years,Occu. Agri,)
 R/o Ghungrala, Tq. Biloli,) **.. Applicant.**
 Dist. Nanded.)

Versus

1)The State of Maharashtra)
 Through Collector Nanded,)
 Dist.Nanded.)

2)The Sub Divisional Officer,)
 And Land Acquisition Officer,)
 Degloor, Dist. Nanded.)

3)Maharashtra Industrial) **.. Respondents.**
 Development Corporation,)

- a Corporation body per its)
 Divisional Officer Latur,)
 Divisional Officer, Latur.)
- 4) Maharashtra Industrial)
 Development Corporation,)
 Through its, Regional Officer,)
 Regional Office, Beside Ujwal)
 Enterprises, Hingoli Road,)
 Nanded.)

Mr. G. G. Suryawanshi, Advocate, for applicant.

Mrs. M. S. Patni, Additional Public Prosecutor, for respondent Nos. 1 and 2.

Mr. S.B. Bhosale, Advocate for respondent No. 3 and 4.

CIVIL REVISION APPLICATION NO.53 OF 2015

Digamber s/o Raghunath Dhage,)
 Age: 32 years, Occu. Agriculture,)
 R/o. Ghungrala, Taq. Biloli,) **.. Applicant.**
 Dist.Nanded.)

Versus

- 1) The State of Maharashtra)
 Through Collector Nanded,)
 Dist.Nanded.)
- 2) The Sub Divisional Officer,)
 And Land Acquisition Officer,)
 Degloor, Dist. Nanded.)
- 3) Maharashtra Industrial) **.. Respondents.**
 Development Corporation,)
 a Corporation body per its)
 Divisional Officer Latur,)
 Divisional Officer, Latur.)

4)Maharashtra Industrial)
 Development Corporation,)
 Through its, Regional Officer,)
 Regional Office, Beside Ujwal)
 Enterprises, Hingoli Road,)
 Nanded.)

Mr. G. G. Suryawanshi, Advocate, for applicant.

Mrs. R. K. Ladda, Additional Public Prosecutor, for respondent
 Nos. 1 and 2.

Mr. S.B. Bhosale, Advocate for respondent Nos. 3 and 4.

CIVIL REVISION APPLICATION NO.54 OF 2015

Govind s/o Raghunath Dhage,)
 Age: 35 years,Occu. Agriculture,)
 R/o.Ghungrala, Tq. Biloli,) **.. Applicant.**
 Dist.Nanded.)

Versus

1)The State of Maharashtra)
 Through Collector Nanded,)
 Dist.Nanded.)

2)The Sub Divisional Officer,)
 And Land Acquisition Officer,)
 Degloor, Dist.Nanded.)

3)Maharashtra Industrial) **.. Respondents.**
 Development Corporation,)
 a Corporation body per its)
 Divisional Officer Latur,)
 Divisional Officer, Latur.)

4)Maharashtra Industrial)
 Development Corporation,)
 Through its, Regional Officer,)
 Regional Office, Beside Ujwal)

Enterprises, Hingoli Road,)
Nanded.)

Mr. G. G. Suryawanshi, Advocate, for applicant.

Mrs. S. A. Ambad, Additional Public Prosecutor, for respondent
Nos. 1 and 2.

Mr. S.B. Bhosale, Advocate for respondent Nos. 3 and 4.

CIVIL REVISION APPLICATION NO.55 OF 2015

1)Gangadhar s/o Mahadji Dhage,)
Age: 48 years,Occu. Agriculture,)
R/o. Ghungrala, Tq. Biloli,)
Dist.Nanded.)

2)Govind s/o Gangadhar Dhage,)
Age:18 years, Occu. Agriculture)
R/o. Ghungrala, Tq. Biloli,)
Dist.Nanded.)

.. Applicants.

Versus

1)The State of Maharashtra)
Through Collector Nanded,)
Dist.Nanded.)

2)The Sub Divisional Officer,)
And Land Acquisition Officer,)
Degloor, Dist.Nanded.)

3)Maharashtra Industrial)
Development Corporation,)
a Corporation body per its)
Divisional Officer Latur,)
Divisional Officer, Latur.)

.. Respondents.

4)Maharashtra Industrial)
Development Corporation,)
Through its, Regional Officer,)

Regional Office, Beside Ujwal)
Enterprises, Hingoli Road,)
Nanded.)

Mr. G. G. Suryawanshi, Advocate, for applicant.

Mrs. M.S. Patni, Additional Public Prosecutor, for respondent Nos.
1 and 2.

Mr. S.B.Bhosale, Advocate for respondent Nos. 3 and 4.

CORAM : T.V. NALAWADE, J.
DATED : 29th July 2015.

ORAL JUDGMENT :

1. All the proceedings are filed to challenge the judgments and awards of reference Court. The reference Court has dismissed the references filed by the applicants as applicants were not turning up and they had not given evidence. Both the sides are heard.

2. The learned counsel for the applicants has produced a copy of oral judgment delivered by this Court in **Civil Revision Application St. No. 20504 of 2013 [Vishambar s/o. Ganoji Dhage Vs. The State of Maharashtra] dated 22.8.2013** and he submitted that present matters are from the same group. The submissions made show that in the proceedings bearing Nos. CRA Nos. 174/2014, 175/2014, 176/2014, 177/2014, 178/2014 and 55/2015 the point of

limitation is involved and reference Court has observed that the references were filed after expiry of 60 days and so, they are not in limitation. No such ground is given in CRA Nos. 53/2015 and 54/2015.

3. In the aforesaid CRA ST. No. 20504/2013, this Court has observed that opportunity needs to be given to the applicants to lead the evidence on all the points. The learned counsel for the applicants submitted that these observations needs to be used even for deciding the point of limitation in present matters and the applicants have contended that notice was not served on them, the point of limitation will not come in their way to claim the enhancement of compensation. In view of the observations made in the aforesaid case and the submissions made in these proceedings, this Court holds that all the proceedings need to be allowed.

4. In the result, revisions are allowed. The judgments and awards delivered by the learned Civil Judge, Senior Division, Biloli, District Nanded in the land acquisition references under challenge are hereby quashed and set aside and the matters are remanded back to the reference Court for fresh trial. The

reference Court is to give full opportunity to the petitioners to lead the evidence on all the points involved. Parties to appear before reference Court on 3.9.2015.

[T.V. NALAWADE, J.]

scc/