

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

FIRST APPEAL NO. 1358 OF 2013

EXECUTIVE ENGINEER, VISHNUPURI PROJECT DIVISION NO.2, NANDED
UNDER GMIDC
VERSUS
THE STATE OF MAH AND ORS

...
Advocate for Appellants : Surwase B.R.
AGP for Respondents: Mr.P.N.Kutti
Advocate for Respondents : Rodge Suresh N. Adv. For R/3

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CORAM : S.V.GANGAPURWALA,J.

DATED : 12TH OCTOBER, 2015

ORDER :-

1] The present respondent no.3 had filed Reference u/s 18 of the Land Acquisition Act, being dissatisfied with the amount of compensation awarded. The said Reference is partly allowed. The acquiring body has assailed the said award in the present Appeal.

2] Mr.Survase, the learned counsel submits that the Appeal is filed only to the extent of granting statutory interest from the date of notification u/s 4 of the Land Acquisition Act. The learned counsel submits that it has to be from the date of possession.

3] In the claim petition, it has been stated that the possession has been taken on 4/8/1993 whereas notification u/s 4 of the Act is

dated 30/9/1993. The possession is prior to the notification u/s 4. In view of that, the interest awarded from the date of notification is legal and proper. The quantum of compensation is not assailed in the present appeal. Even otherwise it is modest amount which has been awarded by the Reference Court.

4] In light of above, Appeal is dismissed. No costs.

[S.V.GANGAPURWALA,J.]

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