

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
BENCH AT ARANGABAD**

FAST/34480/2013 WITH CIVIL APPLICATION NO. 2269 OF 2014
WITH
FAST/34588/2013 WITH CIVIL APPLICATION NO. 2267 OF 2014
WITH
FAST/34591/2013 WITH CIVIL APPLICATION NO. 2271 OF 2014

THE STATE OF MAHARASHTRA AND ANOTHER
VERSUS
PRAKASH RAMRAO ZANJE AND ANOTHER

.....
Mr D. V. Tele, AGP for applicants/State
Mr C. K. Shinde, Advocate for respondent No. 1
.....

CORAM : **S. V. GANGAPURWALA, J.**
DATE : **11TH SEPTEMBER, 2015.**

PER COURT:

. The land of the respondents/claimants is acquired for the purpose of village stand. The reference Court has awarded compensation at the rate of Rs. 1400/- per R. Aggrieved thereby, the State has filed the present appeals.

2. The learned AGP submits that the notification u/s 4 is dt. 3/7/2003. The sale deeds Exh. 16 to 18 are not comparable sale instances, still the reference Court has enhanced the compensation amount to Rs. 1400/- per R. The learned AGP submits that the land under acquisition are Jirayat lands. According to the learned AGP, there is no evidence to show that the land is valued at Rs. 1400/- per R.

3. Mr Shinde, learned Counsel submits that the sale instances are in respect of the same village and prior to notification u/s 4.

4. I have considered the submissions and have gone through the judgment. Though the claimants have claimed market value of the land at the rate of Rs. 1,00,000/- per acre, the said contention has not been accepted by the reference Court. Even the sale deeds at Exh. 16 to 18 and the consideration and the valuation made therein have not been directly accepted. The Court has even granted less compensation than the consideration amount while enhancing the compensation amount though the said sale deeds are prior to the notification u/s 4 and in respect of the same village. The sale consideration of Exh. 16 to 18 is above Rs. 40,000/- per acre i.e. Rs. 1,000/- per R. The said sale deeds are prior to the notification u/s 4, necessary addition has been made to it.

5. Considering the above, the First Appeals are dismissed. No costs.

6. In view of the disposal of main appeals, nothing survives for consideration in the connected civil application for stay and same stand disposed of.

[S. V. GANGAPURWALA, J.]

sgp