

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

First Appeal No.1090 of 2013
(VIDC, Yavatmal .vs. Shrikrishna Shamraoji Ghaye and Ors.)

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's Orders.

Court's or Judge's orders.

Mr.S.S.Godbole, Adv. for the appellant.
 Mr.Nakshane, Adv. for respondent nos. 1 to 4.
 Mrs.Kalyani Deshpande, AGP for respondent nos. 5 and 6.

CORAM : A.P.BHANGALE, J.

DATED : 22nd JUNE, 2015.

Heard.

Reference is made to the Judgment and Award in First Appeal No.1035 of 2007 along with Cross Objection No.51 of 2013. In that case, although the appeal and Cross Objections were dismissed, the reference Court awarded compensation at the rate of Rs.1,20,000/- per hectare. Identical land under the same notification u/s.4 of the Land Acquisition Act was considered and rate was fixed judicially by the judicial order in the reference Court. Therefore, the learned Counsel for the appellant submitted that same amount towards compensation per hectare may be awarded in respect of respondents' land. The respondents as well as the learned A.G.P. agree that the acquired land is under the same notification and of the same kind in respect of quality, market value etc. That being so, compensation @ Rs.1,20,000/- per hectare in respect

of the acquired land in this case also is granted. Rest of the Award is confirmed as it is except modification in respect of rate of land i.e. Rs.1,20,000/- per hectare. The amount, if deposited in this Court, is permitted to be withdrawn by the claimants subject to usual undertaking. The appeal is disposed of.

JUDGE

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