

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

First Appeal No.97 of 2003

(Maharashtra Industrial Development Corporation, through its Chief Executive Officer, Amravati v. Uttam Tukaramji Tantrapale and others)

Office Notes, Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's order

Court's or Judge's orders

Shri D.S. Agnihotri, Advocate for Appellant.
Shri J.J. Chandurkar, Advocate for Respondent No.1.
Ms A.R. Kulkarni, Assistant Government Pleader for Respondent
Nos.2 and 3.

Coram : R.K. Deshpande, J.

Date : 17th November, 2015

In the reference under Section 18 of the Land Acquisition Act, 1894, registered as Land Acquisition Case No.319 of 1999, the respondent No.1-claimant is held entitled for enhanced compensation of Rs.65,664/- along with interest on account of special component at 12% per annum from the date of publication of the notification. The appellant-Corporation is held liable to pay the solatium at 30% on the enhanced amount of compensation. The interest at the rate of 9% per annum from the date of taking possession for one year, and thereafter at the rate of 15% per annum till realization, has also been awarded.

The respondent No.1 was the sole claimant, who has died during the pendency of this appeal, and as per the order dated 7-12-2012 passed by the Registrar, the appeal is dismissed as abated against the original claimant. Since then, no application for bringing the legal representatives of the respondent No.1 on record has been filed. The appeal abates in its entirety and does not,

therefore, survive.

In the result, the appeal is dismissed as abated.

Judge.

Lanjewar