

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

FIRST APPEAL NO. 555 OF 2003

The State of Maharashtra,
through Collector, Latur.

**....Appellant.
(Ori. Respondent)**

Versus

Nivarti s/o. Ganpati Hake,
Age 50 years, Occu. Agri.,
R/o. Rui, Tq. Ahmedpur,
Dist. Latur

**....Respondent.
(Ori. Claimant)**

Mr. A.R. Borulkar, AGP for State/appellant.

Mr. M.L. Dharashiv, Advocate for respondent.

CORAM : T.V. NALAWADE, J.
DATED : 11th February, 2016.

JUDGMENT :

1) The State has challenged the judgment and award of LAR No. 80/1991, which was pending before the Civil Judge, Senior Division, Latur. Heard the learned AGP.

2) The land of respondent, original claimant from village Rui, Tahsil Ahmedpur, District Latur is acquired. Notification under section 4 of the Land Acquisition Act was published in official gazette on 7.5.1986. The Special Land Acquisition Officer gave rate of Rs. 12,257/- per Acre. The claimant relied on the

sale instance dated 20.12.1985 showing that one land was sold for the consideration of Rs. 35,000/-. Only due to admission given by the claimant in the evidence that the lands in that area were sold at the rate between Rs. 12,000/- and 15,000/- per Acre, the Reference Court held that the market value was around Rs. 15,000/- per Acre. Thus, as per the sale instance the price could have been on higher side. This Court sees no reason to interfere in the decision given by the Reference Court.

3) In the result, the appeal stands dismissed.

[T.V. NALAWADE, J.]

ssc/