

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

FIRST APPEAL NO. 158 OF 2016

The State of Maharashtra & Anr. **APPELLANTS**

V E R S U S

Madhav Deorao Shinde & Anr. **RESPONDENTS**

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Mr. C.V.Dharurkar, A.G.P. for appellant - State.

Mr. S.K.Naikwade, Advocate for Respondents.

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CORAM : T.V.NALAWADE, J.

DATE : 20th JANUARY, 2016

ORAL ORDER :-

. Heard learned counsel for both sides for final disposal at admission stage. Learned counsel for the claimants produced copy of the Order dated 16/10/2015 in F.A.St. No. 10488 of 2014 with connected matters.

2. It appears that the Reference Court has increased the compensation to make it Rs. 4,400/- per R. The matter has arisen out of the same Award and Project and Award was before this Court. The other Hon'ble Judge of this Court has considered the reasoning given by the Reference Court. The reasoning is on the basis of sale instances. This Court has observed that there was a sale instance which was of higher value than the sale

instances accepted by the Reference Court and so comparative less amount is awarded. In view of these circumstances, this Court dismissed all the aforesaid Appeals. Present matter is arising out of the same Award and same sale instances are considered by the Reference Court.

3. In view of these circumstances, First Appeal stands dismissed.

[T.V.NALAWADE, J.]