

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1)

19180-15 FAST

29 FIRST APPEAL STAMP NO.19180 OF 2015

THE STATE OF MAHARASHTRA
VERSUS
DAGADU PARAJI BADE

**WITH
FIRST APPEAL STAMP NO.19238 OF 2015**

THE STATE OF MAHARASHTRA
VERSUS
RAOSAHEB JANKOJI BADE

**WITH
FIRST APPEAL STAMP NO.19231 OF 2015**

THE STATE OF MAHARASHTRA
VERSUS
BABASAHEB @ BABAN NARAYAN BADE

**WITH
FIRST APPEAL STAMP NO. 19235 OF 2015**

THE STATE OF MAHARASHTRA
VERSUS
LAXMAN PUNJA BADE AND OTHERS

**WITH
FIRST APPEAL STAMP NO. 19228 OF 2015**

THE STATE OF MAHARASHTRA
VERSUS
WAMAN HONA BADE

...

Advocate for Applicant / State : Mr.R.B.Bagul
AGP for Respondent : Mr. K.D.Bade Patil.

...

**CORAM : P.R. BORA, J.
Dated: April 11, 2016**

...

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(2)

19180-15 FAST

PER COURT :-

1) When the group of these appeal was taken up for hearing, the learned Counsel appearing for the claimants in all these appeals, brought to my notice that, the companion matters, arising out of the same acquisition proceedings are decided by this Court vide order passed on 09.10.2015, and all those appeals have been dismissed. The learned Counsel submitted that, in fact, the present appeals also ought to have been clubbed with the said appeals, however, those remained to be clubbed and hence could not be decided with the same. Learned Counsel submitted that, there was a common award passed in all these matters. Learned Counsel brought to my notice that, in the present matters and in the matters decided vide order dated 09.10.2015, the house properties were acquired for Belpara medium irrigation project. Learned Counsel submitted that, around 114 references were filed and the Reference Court has enhanced the compensation at the rate of Rs.100/- sq. mtr. Learned Counsel further submitted that, in First Appeal Stamp No.21162/2015 with companion matters, this Court, vide judgment and order passed on 09.10.2015 has held

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(3)

19180-15 FAST

that, the reference Court has rightly determined the compensation and the enhancement granted by the Reference Court, in the amount of compensation does not require any interference and the appeal filed by the State have been dismissed. Copy of the common order passed in those appeal is also placed on record by the learned Counsel.

2) The learned AGP has conceded the fact of decision of aforesaid appeals arising out of the same acquisition proceedings and dismissal of appeals in all those matters.

3) For the reasons recorded by this Court in order dated 09.10.2015 in First Appeal Stamp No.21162/2015 with companion matters, the present appeals are also liable to be dismissed and are accordingly dismissed.

4) Pending Civil Applications, if any, stand disposed of.

(P.R. BORA, J.)