

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

FIRST APPEAL NO. 749 OF 2016
WITH CA/9749/2015 IN FA/749/2016

THE STATE OF MAHARASHTRA
VERSUS
BANSHI SHANKAR RANDHAVE
WITH

FA/750/2016 WITH CA/9782/2015 IN FA/750/2016 WITH FA/751/2016
WITH CA/9780/2015 IN FA/751/2016 WITH FA/752/2016 WITH
CA/9753/2015 IN FA/752/2016 WITH FA/753/2016 WITH CA/9755/2015
IN FA/753/2016 WITH FA/754/2016 WITH CA/9751/2015 IN
FA/754/2016 WITH FA/755/2016 WITH CA/9790/2015 IN FA/755/2016
WITH FA/756/2016 WITH CA/9792/2015 IN FA/756/2016 WITH
FA/757/2016 WITH CA/9770/2015 IN FA/757/2016 WITH FA/758/2016
WITH CA/9784/2015 IN FA/758/2016 WITH FA/759/2016 WITH
CA/9774/2015 IN FA/759/2016 WITH FA/760/2016 WITH CA/9757/2015
IN FA/760/2016 WITH FA/761/2016 WITH CA/9764/2015 IN
FA/761/2016 WITH FA/762/2016 WITH CA/9772/2015 IN FA/762/2016
WITH FA/763/2016 WITH CA/9776/2015 IN FA/763/2016 WITH
FA/764/2016 WITH CA/9759/2015 IN FA/764/2016 WITH FA/765/2016
WITH CA/9761/2015 IN FA/765/2016 WITH FA/766/2016 WITH
CA/9768/2015 IN FA/766/2016 WITH FA/767/2016 WITH CA/9786/2015
IN FA/767/2016 WITH FA/768/2016 WITH CA/9778/2015 IN
FA/768/2016 WITH FA/769/2016 WITH CA/9766/2015 IN FA/769/2016
WITH FA/770/2016 WITH CA/9788/2015 IN FA/770/2016

Mr G.O. Wattamwar, A.G.P.for appellant – State
Mr K.D. Bade Patil, Advocate for respondent

CORAM : V.K. JADHAV, J.

DATE : 15th June 2016

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 dated 9th October 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 9th October 2015, the house properties were acquired for Belpara medium 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.meter. Learned Counsel further submitted that in First Appeal Stamp No.21162 of 2015 with companion matters, this Court, vide order passed on 9th October 2015 has held 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 A.G.P. has conceded the fact of decision of aforesaid appeals arising out of the same acquisition proceedings and dismissal of appeals in all those matters.

4. For the reasons recorded by this Court in order dated 9th October 2015 in First Appeal Stamp No.21162 of 2015 with companion matters, the present appeals are also liable to be dismissed and are accordingly dismissed.

5. In view of dismissal of appeals, pending Civil Applications do not survive, as such stand disposed of.

(V.K. JADHAV, J.)

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