

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

FIRST APPEAL NO.719 OF 2015

State of Maharashtra, Thr. Collector, Amravati and ors.

-vs-

Ekhnath Shripad Shende, Amravati and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Ms N. P. Mehta, AGP for appellant.

CORAM : A.S.CHANDURKAR, J.

DATE : APRIL 28, 2016

As the issue involved in the present appeal with regard to the quantum of compensation payable to the respondent No.1 stands concluded in view of adjudication in F.A. No.159 of 2007, the present appeal is taken up for hearing.

Land admeasuring 1H 26 R situated at Village Shidodi was acquired under Upper Wardha Project. The notification under Section 4 of the said Act is dated 21/11/1995. By award dated 21/08/1999 the Land Acquisition Officer granted compensation of Rs.41,000/- per hectare. Being aggrieved, the present appeal has been filed.

Ms N. P. Mehta, the learned Assistant Government Pleader for the appellant submits that in F.A. No.159 of 2007 the amount of compensation @ Rs.60,000/- per hectare came to confirmed. As the present appeal arises out of adjudication in respect of the same notification under Section 4 of the said Act, the respondent No.1 would be entitled to similar amount of compensation.

Hence for the reasons assigned in F.A. No.159 of 2007, the following order is passed :

The judgment dated 09/04/2013 in L.A.C. No.138 of 2000 stands confirmed.

The first appeal is dismissed with no order as to costs.

Civil Application No.1547 of 2016

The appellant is permitted to deposit the amount of compensation within period of one week from today.

Civil application is disposed of.

Civil Application No.1546 of 2016

In view of dismissal of the appeal, this application is also dismissed.

JUDGE