

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

FIRST APPEAL NO.716 OF 2015

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

-vs-

Ramkrishna Ganpatrao Nistane (Dead) Thr. LRs. 1(b-f) Jyoti Sanjay Mahalle 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.
 Shri S. S. Shingane for respondent No.1(b to f)

CORAM : A.S.CHANDURKAR, J.

DATE : May 06, 2016

Seen pursis dated 27/01/2016 in which it is stated that the amount of compensation has been deposited with the Reference Court. The learned counsel for the parties jointly submit that the present appeal can be taken up for final hearing as the issue involved therein stands concluded in view of the adjudication in F.A. No.159 of 2007 arising out of the same notification issued under Section 4 of the Land Acquisition Act, 1894.

Land admeasuring 1H 84 R situated at Village Shidodi was acquired under Upper Wardha Project. The notification under Section 4 of the said Act is dated 22/11/1995. By award dated 21/08/1999 the Land Acquisition Officer granted compensation of Rs.44,000/- 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 30/04/2013 in L.A.C. No.135 of 2000 stands confirmed.

The claimants are permitted to withdraw the amount compensation deposited by the appellant before the Reference Court in terms of this judgment.

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

JUDGE