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

CIVIL REVISION APPLICATION NO. 275 of 2015

Rukhminibai Eknath Pawar

...PETITIONER

VERSUS

The State of Maharashtra and others

...RESPONDENTS

Mr Shoyab Shaikh, Advocate for petitioner
Mrs V.N. Patil, Assistant Government Pleader
for respondents No.1 & 3.

CORAM : N.W. SAMBRE, J.

DATE : 2nd August , 2017

ORAL ORDER

Heard learned Counsel for applicant and learned Assistant Government Pleader for respondents No.1 and 3. None appears for respondent No.2.

2. The learned Counsel for applicant undertakes that the applicant shall not claim any interest on enhanced compensation, if any, to be granted by the Reference Court, with effect from 2006 till today. The said undertaking is accepted.

(2)

3. The impugned order dated April 1, 2011 passed by the Civil Judge (Senior Division), Osmanaad, in exercise of powers under Section 18 of the Land Acquisition Act, stands quashed and set aside, as the said order is passed without considering the evidence, which is to be brought on record by the applicant / land owner.

4. The applicant further undertakes that she shall not claim any adjournment and shall produce evidence on the first date of hearing before Court below.

5. As such, Revision Application stands allowed in above terms.

6. If the applicant fails to adduce evidence or seeks any adjournment which will result in prolonging the matter before Reference Court, it shall be open for the Reference Court to pass appropriate order, without being influenced by the observations made hereinabove.

(N.W. SAMBRE, J.)

pjm