

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

910 CIVIL APPLICATION NO. 980/2015 IN FAST/27756/2014
WITH CA/981/2015 IN FAST/28120/2014

GODAVARI MARATHWADA IRRIGATION DEVELOPMENT
CORPORATION

VERSUS

MANOHAR HARISHCHANDRA ARADWAD AND OTHERS

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Advocate for Applicant : Mr. Sham B. Patil.

AGP for Respondent State : Mr. S. P. Sonpawale.

Advocate for Respondent No.1 : Mr. P. G. Sontakke.

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CORAM : K.K. SONAWANE, J.

DATED : 22ND AUGUST, 2017.

Order :-

These applications are moved by the Acquiring Body – Godavari Marathwada Irrigation Development Corporation (for short 'Corporation') seeking leave to present appeals against the impugned Judgment and Award passed by the learned Civil Judge, Senior Division, Ahmedpur, District Latur, in L.A.R.Nos. 218 of 2004 and 717 of 2007. Admittedly, the Acquiring Body was not party respondent in said reference petitions filed before the learned Reference Court. No doubt, the applicant Acquiring Body has to make payment of compensation amount as per the Award passed by the learned Reference Court. However, the applicant Corporation is not satisfied with the findings of the Reference Court for determination of market value of the

acquired lands. Therefore, the Acquiring Body is intending to agitate the findings expressed by the Reference Court by filing present appeals. Therefore, applicant Corporation being not party to the original reference petitions under section 18 of the Land Acquisition Act, 1894, sought leave to present appeal before this Court.

2. In view of attending circumstances on record, I do not find any impediment to allow the applications to facilitate the applicant Corporation to grant reasonable opportunity to redress its grievance before the Appellate Forum. The applications seeking leave to present the appeals against impugned Judgment and Award deserve to be allowed. In sequel, applications are hereby allowed in terms of prayer clause 'B' and disposed of accordingly.

Sd./-

[K. K. SONAWANE]
JUDGE

RRD.