

Santosh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.3301 OF 2003
WITH
CIVIL APPLICATION (ST) NO.3137 OF 2012
WITH
CIVIL APPLICATION NO.3302 OF 2003
IN
FIRST APPEAL (ST) NO.12478 OF 1999

The State of Maharashtra

...Appellant

Versus

Balku Chimaji Savane (Deceased) Thr LR

...Respondent

Mr YY Dabke, AGP for State/Appellant.

Mr Gaurav Potnis, i/b Pallavi H Potnis, for Respondent.

CORAM: G.S. PATEL, J

DATED: 13th June 2017

PC:-

1. This is another Appeal that has been filed by the State Government even though the amount awarded is so negligible as to be illusory. The compensation awarded is Rs.1164/- which works out to Rs.16,700/- per hectare. Of course, there is an award for solatium and interest.

2. The Appeals were filed in 1999. I do not think that any purpose will be served by entertaining these Appeals although they are First Appeals. MS Sonak J considered that very situation in three different Appeals of 31st January 2017 (First Appeal No. 42 of 2017, First Appeal No. 43 of 2017 and First Appeal No. 44 of 2017), and for the same reason, viz., because the enhanced compensation was extremely paltry, dismissed the appeals. He clarified that dismissal should not be understood to mean an approval of the reasoning in the main Award. I see no reason to depart from Justice Sonak's reasoning. For those very reasons this Appeal is also dismissed.

3. In view of the disposal of the Appeal, the Civil Application does not survive and is disposed of accordingly.

(G. S. PATEL, J.)