

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

CAF No. 3186 of 2016 In FA (St) No. 9742 of 2016

The CO, MC v. Santosh and ors

Shri A. Parihar, Advocate for appellant

Shri V. R. Borkar, advocate for respondents no. 1 to 7

Ms H. N. Jaipurkar, AGP for respondents no. 8 and 9

Coram : S. B. Shukre, J

Dated : 13<sup>th</sup> November 2017

P.C.

Heard. After hearing both sides and also on going through the grounds of this application, it appears that the main reason which has weighed with the appellant to take a decision to file this appeal was of far reaching impact of the judgment and order being impugned in the present appeal on the cases which were decided by the Reference Court prior to the judgment and order being impugned in this case. It appears that in the previously decided cases, the Reference Court has granted much lesser compensation than the compensation granted in the present case which was almost four times. Although this has not been specifically stated in paragraph 2 of the application, it appears that this is the only reason which has prompted the appellant to approach this Court by filing the appeal. That being so, in my considered view, it would constitute sufficient cause for allowing this application.

In view of the above, application is allowed. Delay is condoned. Disposed of. Appeal be registered.

FA (St) No. 9742 of 2016 : Heard. Admit. Call for Record and Proceedings. Shri V. R. Borkar, learned counsel waives notice for respondents no. 1 to 7 while Ms H. N. Jaipurkar, learned AGP waives notice for respondents no. 8 and 9. Pup up for final hearing after paper book is filed.

JUDGE

joshi