

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

CAF No.3056/2016 in FA St.No.10984/2016

VIDC through its Executive Engineer, Minor Irrigation Division District Washim

Vs.

Vishnudas Ramsing Chavan and others.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri J.B.Kasat, Advocate for applicant.

Shri Thakre Advocate, h/f Shri M.M.Agnihotri, Adv.

For respondent no.1.

Shri Sonak, AGP for respondent nos. 2 and 3.

CORAM : N.W.SAMBRE, J.

DATE : MARCH 30, 2017

CAF No. 3415/2016

Heard.

The application is opposed by the learned
counsel for respondent no.1. However, for the
reasons stated in the application, delay caused in
preferring appeal stands condoned.

CAF No.3056/2016

Consider the appeal on merits, it appears
that the learned Reference Court has adopted
comparable sale method for valuation of the land so

as to ascertain the market value of the acquired land and reliance placed upon sale deed Exh.26 of village-Waigaul, dated May 10, 1996. The said village is admittedly not adjacent to the land under acquisition. No reasons for considering the said sale instances could be noticed in the judgment/order under challenge.

In view thereof, leave granted.

FA St.No.10984/2016

Heard.

Admit.

Shri Thakre, learned counsel, h/f Advocate M.M.Agnihotri, waives notice for respondent no.1 and Shri Sonak, learned A.G.P. waives notice on behalf of respondent nos. 2 and 3.

Paper book will be filed within a period of six month from today. If the paper book is not filed within the time stipulated, the appeal shall stand dismissed without further reference to the Court.

It is clarified that the appellant has not deposited the amount of compensation. As such, the respondent no.1 is at liberty to execute the decree.

JUDGE