

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

CIVIL APPLICATION (CAF) NO.3157 OF 2015
IN
FIRST APPEAL ST.NO.10945 OF 2015

The State of Maharashtra, through Collector Amravati, District Amravati
and anr

..VS..

Shri Shrikant Vishwasrao Taral

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

Court's or Judge's Order

Shri Kadu, Asstt.Government Pleader for the applicant/appellant.

CORAM : N.W. SAMBRE, J.

DATED : APRIL 12, 2017.

Heard.

For the reasons disclosed therein,
application stands allowed and disposed of. Delay of
507 days caused in filing appeal is condoned.

FIRST APPEAL ST.NO.10945 OF 2015

Heard.

Land of the respondent/claimant, being
Survey No.201 of village Babhali, Taluka Daryapur,
District Amravati, area 6.26 hectares is acquired for the
purpose of rehabilitation of flood affected persons for
which Section 4 Notification was issued on 4.12.2008.

The Land Acquisition Officer awarded

compensation @ Rs.4,25,000/- per hectare. The land owner claimed Rs.15.00 lacs per acre and as such the reference in question.

After issues were framed at Exhibit 16, claimant examined himself at Exhibit 22. He relies upon document Exhibit 24 sale deed in relation to land Survey No.105 which is from the same village wherein land was acquired to the extent of 18R @ Rs.305/- per square meter.

The evidence as led by claimant was not controverted by the acquiring body by examining any other witness.

Exhibit 24 sale deed is about one year prior to Section 4 Notification in the present case. The Reference Court rightly relied upon said document while enhancing compensation.

In this background, no case for interference in appellate jurisdiction is made out. The appeal fails and is dismissed.

JUDGE

!! BRW !!

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