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

**CIVIL APPLICATION NO. 57 OF 2017
WITH
CIVIL APPLICATION NO. 58 OF 2017
IN/WITH
FIRST APPEAL (ST) NO. 15622 OF 2016**

Executive Engineer, Purna
Medium Project, Achalpur Dn.,
Achalpur, Dist. Achalpur. ..APPELLANT

VERSUS

Vinay Ganpatrao Meshram & ors ..RESPONDENTS

Mr S.S. Godbole, Advocate for appellant;
Mr M.A. Kadu, A.G.P. for respondent Nos. 2 & 3

CORAM : N.W. SAMBRE, J.

DATE : 5th MAY, 2017

ORAL ORDER :

For the reasons disclosed, delay caused in preferring the first appeal, stands condoned. The application for condonation of delay is allowed.

2. Pursuant to notification under Section 4 of the Land Acquisition Act dated 7th July, 2005 the land of respondent-claimant was acquired.

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3. With the assistance, I have perused the impugned judgment. The reference Court has decided five references by common judgment. The compensation awarded by the Reference Court is based on oral and documentary evidence brought on record.

4. So far as the case in hand is concerned, which is arising out of L.A.C. No. 104 of 2008, the enhanced compensation is Rs.1,25,803/- for 22 orange trees as reflected in paragraph-39 of the impugned judgment.

5. Upon appreciation of the evidence, particularly as regards age and yield capacity, the Reference Court has given appropriate findings. As such, no interference is warranted. The appeal fails, stands dismissed.

6. In view of dismissal of appeal, civil application for stay stands disposed of.

(N.W. SAMBRE, J.)