

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

CAF NO.3404/2017 IN FIRST APPEAL NO.217/2014

[Maharashtra Industrial Development Corporation .vs. Panchafula Raghoji Gajbhiye and
others]

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

Court's or Judge's orders

CORAM : KUM. INDIRA JAIN, J.

DATED : AUGUST 21, 2017.

Heard Shri Sharad Thakre h/f Shri M.M. Agnihotri, learned counsel for applicant-appellant, Shri P.S. Raut, learned counsel for respondent nos.1 to 4 and Shri A.D. Sonak, learned A.G.P. for respondent nos.5 and 6.

Respondent nos.1 to 4 are claimants in LAC No.119/1999. Land Acquisition Officer determined the compensation of the acquired land of respondent nos.1 to 4 at the rate of Rs.1,500/- per hector for potkharab land (i.e. uncultivable land) and at the rate of Rs.41,690/- per hector for the cultivable land. Reference Court enhanced the compensation for uncultivable land to Rs.50,000/- per hector and in respect of cultivable land to Rs.1,00,000/- per hector.

It can be seen from the order passed by the Reference Court that enhancement is manifold.

The learned counsel for appellant states that appellant has no objection if 50% amount of compensation awarded by the Reference Court is allowed to be withdrawn by respondent nos.1 to 4.

In view of the above, respondent nos.1 to 4 are permitted to withdraw 50% of the amount of compensation awarded by the Reference Court on furnishing usual undertaking within a period of two weeks.

Civil Application stands partly allowed in the aforesaid terms.

JUDGE

Gulande