

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

FIRST APPEAL NO. 310 OF 2002

Manohar s/o Dattu Deshpande

.. Appellant/original  
Claimant

versus

The State of Maharashtra,  
through Collector, Latur

.. Respondent

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Mr. Mr. Mahesh Bhosle, Advocate h/f Mr. P. V. Barde, Advocate  
for appellant

Mr. A. M. Phule, Assistant Government Pleader for respondent

CORAM : SUNIL P. DESHMUKH, J.  
DATE : 5th March, 2018

ORDER :

1. Present appellant's land had been acquired for left bank canal project of village Masalga, taluka Nilanga, District Latur. Learned counsel for parties concur on that present first appeal is from same land acquisition proceedings as were concerned in group of first appeals bearing no. 342 of 2002 and companion matters.

2. Learned counsel for applicant and learned Assistant Government Pleader further state that as a matter of fact, land acquisition reference concerned in present matter is 252

of 1998 (628 of 1991) and the same had been considered and decided along with other land acquisition references preferred by claimants which were subject-matter of first appeal no. 342 of 2002 and companion matters.

3. By common decision, all land acquisition references, including the one in present matter i.e. land acquisition no. 252 of 1988 had been disposed of under common decision rendered on 06-01-2001 by reference court. The group of first appeals decided under common order dated 15-02-2018 is in respect of lands from the same village as in the present case. The quality and fertility of the land in present appeal is the same as involved in aforesaid group of first appeals.

4. Overall situation emerges that present matter appears to be left out matter from the group of first appeals decided on 15-02-2018.

5. Since the parties concede to aforesaid position, it would be expedient that present first appeal should receive similar treatment as has been given to other first appeals decided in group under order dated 15-02-2018.

6. As such, decision dated 15-02-2018 rendered in first appeal no. 342 of 2002 and companion first appeals shall also govern present first appeal and said decision in the group of first appeals shall form part and parcel of this order and shall be deemed to have been reiterated here. The claimant - appellant herein shall be entitled to receive the same benefits as are given under said decision dated 15-02-2018 to other claimants - appellants.

7. In view of aforesaid, first appeal stands accordingly disposed of.

SUNIL P. DESHMUKH,  
JUDGE

pnd