

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

942 FIRST APPEAL NO. 825 OF 2005

1. The State of Maharashtra
Through- Dist.Collector, Beed.
2. The Executive Engineer,
Minor Irrigation Local Sector,
Beed. ..Appellants

VERSUS

1. Popat Mohanrao Sirsat, age 38 years.
2. Subhash Mohanrao Sirsat, age 36 years
3. Balasaheb Mohanrao Sirsat, age 34 years
4. Keshav Mohanrao Sirsat, age 31 years.

All Occu.: Agriculturist, R/o.Manur,
Taluka Patoda, Dist.Beed. ..Respondents

...

AGP for Appellants : Mr.A.M.Phule
Advocate for Respondent Nos.1 to 4 : Mr.S.S.Thombre
(absent)

...

WITH

FA/826/2005 WITH FA/827/2005

...

CORAM : M.S.SONAK, J.
DATE : 18th January, 2018

ORAL JUDGMENT:-

- 1) Heard Mr.A.M.Phule learned AGP for the appellants.
- The respondents though served neither present nor

represented.

2) Since, these three appeals arise out of acquisition in pursuance of one and the same Section 4 Notification, it is only appropriate that they are disposed of by a common Judgment and Order.

3) In these matters, the Land Acquisition Officer determined compensation in respect of the acquired land @ Rs.365/- per Are. The Reference Court has enhanced the same to Rs.1,250/- per Are.

4) Perusal of the record as well as impugned Judgment and Award indicate that the claimants had produced several Sale-Deeds in respect of the lands from the very same village and the rate as per the said Sale-Deeds ranges from Rs.1,233/- per Are to Rs.2,000/- per Are. The Reference Court by detail discussion in paragraph Nos.23, 25 and 26 in the impugned award has determined the compensation @ Rs.1,250/- per Are. Reasons for such

determination have been set out in the impugned Award and there is no illegality in the same.

5) Apart from this, the enhanced rate in the present case is well within the limit prescribed in the Government Resolution dated 3.11.2016 as amended from time to time. This Government Resolution relates to the policy of the State Government that it shall not institute or pursue appeals where the enhanced compensation is less than four times of the Ready Reckoner Rate prevalent on the date of the issue of Section 4 Notification.

6) For the aforesaid reasons, these appeals are dismissed.

7) Civil Applications if any, do not survive and are disposed of.

[M.S.SONAK, J.]