

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

906 CIVIL APPLICATION NO. 2360 OF 2015
IN FA/626/2015 WITH FA/627/2015 WITH FA/628/2015 WITH
FA/629/2015

BABU SANGAPPA BIRADAR, DIED THR. L.RS. SHALINI AND ORS
VERSUS
THE STATE OF MAH AND ORS

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Advocate for Applicants : Mr. Sontakke Gajanan K And P
G Sontakke

AGP for Respondents/State : Mr. A.P.Basarkar
Advocate for Respondent no.3 : Mr. Biradar R.jD.

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CORAM : SUNIL K. KOTWAL, J.

DATE : AUGUST 24, 2018

O R D E R :

This Civil Application is filed for production of copy of judgment, passed by the learned Civil Judge, Senior Division, Nilanga in another Land Reference regarding same project.

2. Learned counsel for the applicants submits that the Reference Court rejected the Land Reference for want of evidence and appellants have every right to bring on record additional evidence, when available.

He placed reliance on **Ramanlal Deochand Shah and another vs State of Maharashtra and another, reported in 2013 AIR (SC)3452** where the Apex Court permitted production of additional evidence to prove the claim of the party.

3. Learned counsel for the respondent opposes application. However, considering that the copy of judgment has been produced is in respect of the same project of acquisition, I find it desirable to grant opportunity to the appellants to produce the copy of judgment as additional evidence, which may be useful for passing appropriate judgment in the present matter.

4. Therefore, Civil Application is allowed in the above said terms. Fix the appeals for final hearing on next date i.e. on 17.9.2018.

[SUNIL K. KOTWAL, J.]

dbm